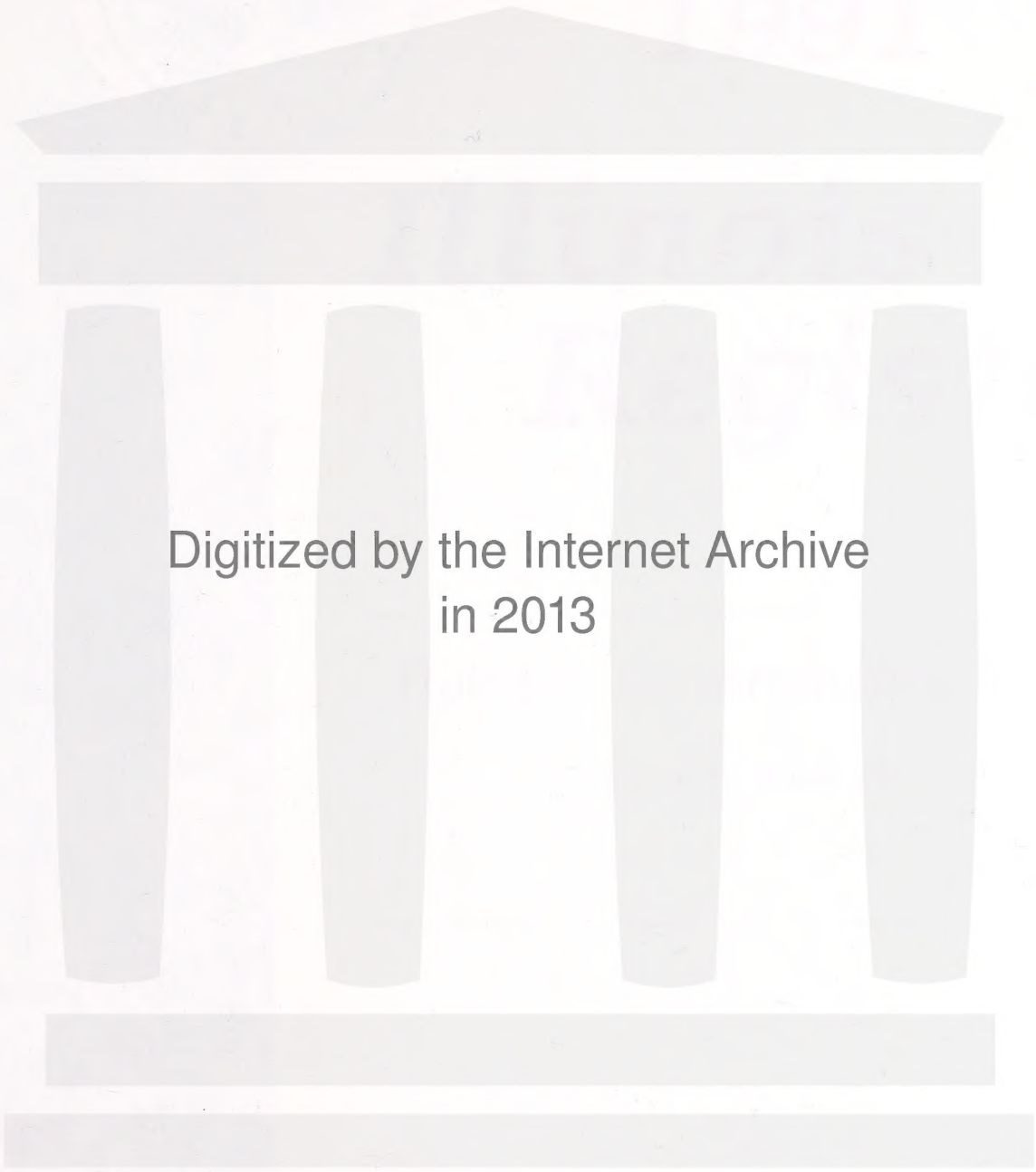


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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1991

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 18, 1990	Dec. 24, 1990	1	Jan. 4, 1991	June 25, 1991	July 2, 1991	28	July 12, 1991
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Mar. 26, 1991	Apr. 2, 1991	15	Apr. 12, 1991	Oct. 1, 1991	Oct. 8, 1991	42	Oct. 18, 1991
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Apr. 9, 1991	Apr. 16, 1991	17	Apr. 26, 1991	Oct. 15, 1991	Oct. 22, 1991	44	Nov. 1, 1991
Apr. 16, 1991	Apr. 23, 1991	18	May 3, 1991	Oct. 22, 1991	Oct. 29, 1991	45	Nov. 8, 1991
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May 7, 1991	May 14, 1991	21	May 24, 1991	Nov. 12, 1991	Nov. 19, 1991	48	Dec. 2, 1991 (Mon.)
May 14, 1991	May 21, 1991	22	May 31, 1991	Nov. 19, 1991	Nov. 26, 1991	49	Dec. 6, 1991
May 21, 1991	May 28, 1991	23	June 7, 1991	Nov. 26, 1991	Dec. 3, 1991	50	Dec. 13, 1991
May 28, 1991	June 4, 1991	24	June 14, 1991	Dec. 3, 1991	Dec. 10, 1991	51	Dec. 20, 1991
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June 11, 1991	June 18, 1991	26	June 28, 1991	Dec. 17, 1991	Dec. 24, 1991	1	Jan. 3, 1992
June 18, 1991	June 25, 1991	27	July 5, 1991	Dec. 24, 1991	Dec. 31, 1991	2	Jan. 10, 1992

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday *(the day before).*

Printed by authority of the
State of Illinois
November 1991 – 890 – GA-622

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED RULES

1) The Heading of the Part: Boiler and Pressure Vessel Safety Rules and Regulations

2) Code Section: 41 Ill. Adm. Code 120

3)

Section Number:	Proposed Action
120.10	Amendment
120.900	Amendment
120.1000	Amendment
120.1010	New Section
120.1020	New Section
120.1030	New Section
120.1040	New Section
120.1041	New Section
120.Appendix B	New Section

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 3202 and 3203.

5) A Complete Description of the Subjects and Issues Involved: The standards incorporated in the rules are updated, and a new subpart regulating repairs has been added. The updated incorporations are designed to keep Illinois consistant with national standards and industry practices. The repair rules are added to prevent pressure retaining areas of boilers and pressure vessels to be repaired in a manner inconsistant with the design criterea of the object and making the objects more likely to explode or otherwise cause injury and damage.

6) Will the proposed rule replace and emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this rulemaking contain incorporations by reference? No.

9) Are there any other rule pending on this part? No.

10) Statement of Statewide Policy Objective (if applicable).

11) Time, Place and Manner in which interested parties may comment on this proposed rulemaking:

The Office will accept written comments for a period of 45 days after the date of this publication. The written comments should be directed to:

John J. Pavlou, General Counsel

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED RULES

Office of the State Fire Marshal
1035 Stevenson Drive
Springfield, Illinois 62703-4259

12) Initial Regulatory Flexibility Analysis:

A) Date the rule submitted to the Small Business Office of the Department of Commerce and Community Affairs: 1991.

B) Types of Small Businesses and Municipalities Affected: Boiler and Pressure vessel repair firms and owners of boilers and pressure vessels and local governments operating these objects.

C) Reporting, bookkeeping or other procedure required for compliance: The ability to write and follow a quality control manual as described in the rules.

D) Types of Professional Skills necessary for Compliance: The skills necessary for the repair subpart are the skills that would be required of any person who intends to repair the pressure retaining areas of these objects; generally, this is a skilled trade. Additional requirements involve having a quality control system to provide some assurance that the work is performed by trained persons and that they know the specific details of the job to be performed.

The full test of the Rules begins on the next page.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

TITLE 41: FIRE PROTECTION
CHAPTER I: STATE FIRE MARSHAL

PART 120
BOILER AND PRESSURE VESSEL SAFETY

SUBPART A: INTRODUCTORY MATERIAL

Section
120.4 Foreward
120.7 Kindly Observe the Following Briefs and Avoid Unnecessary Inconvenience

SUBPART B: DEFINITIONS AND ADMINISTRATION

Section
120.10 Definitions
120.11 Incorporation of National Standards
120.20 Administration
120.41 Special Inspector Trainee

SUBPART C: CONSTRUCTION, INSTALLATION, INSPECTION, MAINTENANCE, AND USE

Section
120.100 New Installations of Boilers, Miniature Boilers, Heating Boilers and Hot Water Supply Boilers
120.200 New Installations of Pressure Vessels
120.300 Existing Installations of Power Boilers
120.400 Existing Installations of Miniature Boilers
120.500 Existing Installations of Heating Boilers and Hot Water Supply Boilers
120.600 Existing Installation of Pressure Vessels
120.700 General Requirements for all Boilers and Pressure Vessels
120.800 Nuclear Power Plant Components (Repealed)
120.900 Flame Safeguard Requirements

SUBPART D: REPAIR AND ALTERATION

Section
120.1000 Repairs and Alterations to Boilers and Pressure Vessels by Welding
120.1010 Authorization to Repair Boilers and Pressure Vessels
120.1020 Issuance and Renewal of the Certificates
120.1030 Changes to Certificates of Authorization
120.1040 Quality Control Requirements
120.1041 Repair & Alteration Requirements

OFFICE OF THE STATE FIRE MARSHAL

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SUBPART E: STATE SPECIALS

Section
120.1100 Procedure for the Issuance of State's Special Permits

SUBPART F: REPAIR OF SAFETY AND SAFETY RELIEF VALVES

Section
120.1200 Repair of Safety and Safety Relief Valves
120.1210 Authorization to Repair ASME and National Board Stamped Safety and Safety Relief Valves
120.1220 Issuance and Renewal of the Certificate
120.1240 Changes to Certificates of Authorization
120.1250 Repairs to Safety and Safety Relief Valves
120.1260 Quality Control System
120.1270 Nameplates
120.1275 Field Repair

SUBPART G: OWNER-USER QUALITY CONTROL REQUIREMENTS

Section
120.1280 Performance Testing of Repaired Valves
120.1285 Training of Valve Repair Personnel
120.1290 ASME "V", "UV" or National Board "VR" Certificate Holders
120.1300 Introduction
120.1301 Authority and Responsibility
120.1305 Organization
120.1310 Inservice Inspection Program
120.1320 Drawings, Design Calculations, and Specification Control
120.1325 Material Control
120.1330 Examination and Inspection Program
120.1335 Correction of Nonconformities
120.1340 Welding
120.1345 Nondestructive Examination
120.1350 Calibration of Measurement and Test Equipment
120.1355 Records
120.1360 Inspectors

APPENDIX A Examples of Repairs and Alterations
APPENDIX B Record of Welded Repair

AUTHORITY: Implementing and authorized by Sections 2 and 2.1 of the Boiler and Pressure Vessel Safety Act (Ill. Rev. Stat. ~~1985~~1989, ch. 111 1/2, pars. 2202 and 3203).

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

SOURCE: Boiler and Pressure Vessel Safety Act and Rules and Regulations; adopted at 4 Ill. Reg. 7, p. 126, effective January 31, 1980; codified at 5 Ill. Reg. 10677; amended at 7 Ill. Reg. 6925, effective July 1, 1983; amended at 10 Ill. Reg.9510, effective July 1, 1985; amended at 11 Ill. Reg. 16587, effective January 1, 1988; amended at __ Ill Reg._____, effective _____.

Section 120.10 Definitions

"API 510". The term, API 510, shall mean the Maintenance, Inspection, Rating, Repair and Alteration of Pressure Vessels as published by the American Petroleum Institute.

"ASME Code". The term, ASME Code, shall mean the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers with such revisions, amendments and interpretations thereof as are made, approved and adopted by the Council of the Society and approved and adopted by the Board. Copies of the Code may be obtained from said Society at 345 E. 47th Street, New York, New York 10017.

"Act" or "The Act". The term, Act or "The Act", shall mean the Boiler and Pressure Vessel Safety Act (Ill. Rev. Stat. 1985, ch. 111 1/2, par. 3201 et seq. as amended).

"Alteration". The term, Alteration, shall mean a change in a boiler or pressure vessel that alters the original design requiring consideration of the effect of the change on the original design. It is not intended that the addition of nozzles smaller than a reinforced opening size be considered an alteration. (See Section X, Appendix A -- Section 120.1000. Appendix A)

"Approved". The term, Approved, shall mean approved by the Board of Boiler and Pressure Vessel Rules.

"Authorized Inspection Agency". The term, Authorized Inspection Agency, shall mean one of the following:

A department or division established by a jurisdiction which had adopted one or more Sections of the ASME Code and whose inspectors hold valid commissions issued by the National Board of Boiler and Pressure Vessel Inspectors or

An inspection agency of an insurance company which is authorized (licensed) to insure and is insuring boilers and pressure vessels in those jurisdictions which have examined the agency's inspectors to represent such jurisdictions as is evident by the issuance of a valid Certificate of Competency to the inspector or

An owner or user of pressure vessels who maintains a regularly established inspection department, whose organization and inspection procedures meet the requirements established by the Board and contained in this Part.

OFFICE OF THE STATE FIRE MARSHAL

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"Board". The term, Board, shall mean the Board of Boiler and Pressure Vessel Rules created by the Act and empowered to make, alter, amend and interpret rules and regulations for the safe construction, installation, inspection, alteration, and repair of boilers and pressure vessels.

"Boiler". The term, Boiler, shall mean a vessel intended for use in heating water or other liquids or for generating steam or other vapors under pressure or vacuum by the application of heat resulting from the combustion of fuels, electricity, or waste gases.

Power Boiler means a boiler in which steam or other vapor is generated at a pressure of more than 15 psig and includes a high-pressure, high-temperature water boiler.

High-Pressure, High-Temperature Water Boiler means a water boiler operating at pressures exceeding 160 psig and/or temperatures exceeding 250 F. at or near the boiler outlet.

Miniature Boiler means any boiler which does not exceed any of the following limits:

16 inches inside diameter of shell

20 square feet heating surface

5 cubic feet gross volume, exclusive of casing and insulation

100 psig maximum allowable working pressure

Heating Boiler means a steam boiler operated at pressures not exceeding 15 psig, or a hot water heating boiler operated at pressures not exceeding 160 psig and/or temperatures not

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

exceeding 250 F. at or near the boiler outlet.

Hot water supply boiler means a boiler (including fired storage water heater) furnishing hot water to be used externally to itself at pressures not exceeding 160 psig and/or temperatures not exceeding 250 F. at or near the boiler outlet except as provided below.

Hot water supply boilers which are directly fired with oil, gas, or electricity are exempt from this Part when none of the following limitations are exceeded:

Heat input of 200,000 BTU/hr.

Water temperature of 200 F.

Nominal water containing capacity of 120 gallons except that hot water supply boilers shall be equipped with safety devices in accordance with the requirements of paragraph Hot Water Supply H.W.S. 301 (Section 120.500 (d) (2) of this Part.

Lined Potable Water Heater shall mean a water heater with a corrosion resistant lining, used to supply potable hot water.

Electric Boiler means a boiler in which the source of heat is electricity.

Portable Boiler means an internally fired boiler which is primarily intended for temporary location and the construction and usage permits it to be readily moved from one location to another.

"Cannery". The term, Cannery, shall mean a factory where food is canned for preservation.

"Certificate of Competency". The term, Certificate of Competency, shall mean a certificate issued to a person who has passed the examination prescribed by the Board.

"Certificate Inspection". The term, Certificate Inspection, shall mean an inspection, the report of which is used by the Chief Inspector as justification for issuing, withholding or revoking the inspection certificate. This Certificate Inspection shall be an internal inspection when required; otherwise, it shall be as

OFFICE OF THE STATE FIRE MARSHAL

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complete an inspection as possible.

Internal Inspection means as complete an examination as can reasonably be made of the internal and external surfaces of a boiler or pressure vessel while it is shut down and manhole plates, handhole plates or other inspection opening closures are removed as required by the Inspector.

External Inspection means an inspection made when a boiler or pressure vessel is in operation, if possible.

"Commission, National Board". The term, Commission, National Board, shall mean the commission issued by the National Board to a holder of a Certificate of Competency who desires to make shop inspections or field inspections in accordance with the National Board bylaws and whose employer submits the inspector's application to the National Board for such commission.

"Condemned Boiler or Pressure Vessel". The term, Condemned Boiler or Pressure Vessel, shall mean a boiler or pressure vessel that has been inspected and declared unsafe, or disqualified by legal requirements, by the Chief or Deputy Inspector who has applied a stamping or marking designating its condemnation.

"Existing Installation". The term, Existing Installation, shall mean and include:

Any boiler installed and placed in operation before May 1, 1953.

Any hot water supply boiler installed and placed in operation on or before July 9, 1957.

Any pressure vessel installed and placed in operation on or before December 31, 1976.

"Inspection Certificate". The term, Inspection Certificate, shall mean a certification issued by the Chief Inspector for the operation of a boiler or pressure vessel as required by the Act.

"Inspector". The term, Inspector, shall mean the Chief Inspector or Deputy Inspector or Special Inspector or Owner-User Inspector.

Chief Inspector means the Chief Boiler and Pressure Vessel Inspector employed under this Act.

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Deputy Inspector means any inspector employed under the Provisions of the Act.

Special Inspector means an inspector holding an Illinois Certificate of Competency and who is regularly employed by an insurance company authorized to insure against loss from explosion of boilers and pressure vessels in this State.

Special Inspector Trainees are those inspectors described in Section 120.41.

Owner-User Inspector means an inspector described in Section 120.1360 continously employed as an Inspector by an Owner-User Inspection Agency.

"Jurisdiction". The term, Jurisdiction, shall mean a state, commonwealth, county or municipality of the United States or a Province of Canada which has adopted one or more Sections of the ASME Code and maintains a duly constituted Department, Bureau, or Division for the purpose of enforcement of such Code. In Illinois the Division of Boiler and Pressure Vessel Safety is the jurisdiction except for the City of Chicago.

"National Board". The term, National Board, shall mean the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229, whose membership is composed of the Chief Inspectors of jurisdictions who are charged with the enforcement of the provisions of the ASME Code.

"National Board Inspection Code". The term, National Board Inspection Code, shall mean the Manual for Boiler and Pressure Vessel Inspectors published by the National Board. Copies of the Code may be obtained from the National Board.

"New Boiler Installations". The term, New Boiler Installations, shall mean and include all boilers constructed, installed and placed in operation after May 1, 1953, and all hot water supply boilers installed and placed in operation after July 9, 1957.

"New Pressure Vessel Installations". The term, New Pressure Vessel Installations, shall mean and include any pressure vessel installed and placed in operation after December 31, 1976.

"Nonstandard Boiler and Pressure Vessel". The term, Nonstandard Boiler or Pressure Vessel, shall mean a boiler or pressure vessel that does not bear the ASME Stamp or the API-ASME Stamp.

OFFICE OF THE STATE FIRE MARSHAL

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"Office". The term, Office, shall mean the Office of the State Fire Marshal.

"Owner or User". The term, Owner or User, shall mean any person, firm or corporation legally responsible for the safe operation of any boiler or pressure vessel within the State.

"Place of Public Assembly". The term, Place of Public Assembly, shall mean a building or specific area in which persons assemble for civic, educational, religious, social or recreational purposes or which is provided by a common carrier for passengers awaiting transportation or in which persons are housed to receive medical, charitable or other care or treatment, or are held or detained for public, civic or correctional purposes.

"Pressure Vessel". The term, Pressure Vessel, shall mean a vessel in which pressure is obtained from an external source, or by the application of heat from the indirect source or from a direct source other than those boilers as defined above. Some pressure vessels are considered nonhazardous by the Board of Boiler and Pressure Vessel Rules and, as such, are not subject to these Rules and Regulations. The following described pressure vessels shall be exempt from the scope of regulations requiring compliance with the ASME Code:

1) Those classes of vessels not considered within the scope of the A.S.M.E. Code Section VIII, Division 1, as defined in the introduction under U-1(c).

2) Water conditioning equipment used for the removal of minerals, chemicals, or organic or inorganic particulates from water by means other than application of heat.

Vessels included in the scope of this exemption: Water softners, water filters, dealkalizers and demineralizers.

Requirements for the exemption. To qualify for the exemption from the requirements of these Rules and Regulations, the following criteria must be met:

Temperature: The temperature of water in the vessel shall not exceed the temperature of water found in the cold water line of the building's domestic water supply. The temperature shall not exceed 100° Fahrenheit.

No heat may be applied to the water prior to being placed in the vessel nor while in the vessel and no heat may be applied to vessel itself directly or indirectly.

Pressure: The pressure of the water entering the vessel shall be the same or less than the pressure of the water in the building's domestic water supply, or the pressure supplied by the utility well or pumps supplying such water whichever is less. In no event shall the water pressure exceed 150 lbs. per square inch.

The vessel may not contain any material of a hazardous, toxic, or explosive nature.

The contents of the vessel shall not pose an undue hazard to the safety of persons in the event of a rupture, and neither vessel nor its contents may pose a hazard from explosion.

All pressure vessels used in conformity with the aforementioned Rules shall be exempt from the provisions of the Rules and Regulations requiring compliance with ASME Codes.

These Rules shall not prevent private parties, organizations, corporations, partnerships, associations or other entities from requiring construction in accordance with ASME or other rules and regulations in their private contracts for these objects.

"Professional Engineer". The term, Professional Engineer, shall mean a registered professional engineer registered in accordance with the Illinois Professional Engineering Act (Ill. Rev. Stat. 1985, ch. 111 2/3, par. 5101 et seq.) or a person who graduated from an accredited college or university and either:

holds a mechanical engineering degree or

has five years experience in a related field (e.g. Civil engineering, metalurgical engineering, industrial engineering, design engineering, maintenance engineering, project engineering or construction, maintenance, repair or operation of high pressure boilers and unfired pressure vessels.

"PSIG". The term, PSIG, shall mean pounds per square inch gage.

"Quality Control Requirements". The term, Quality Control

Requirements, shall mean a quality control system that meets the requirements of Sections 120.1300 through 120.1360 of this Part.

"Quality System". The term, Quality System, refers to the management controls established by a manufacturer, installer, or assembler holding (or applying for) an ASME Certificate of Authorization and Stamp under the requirements of Section I, IV, or VIII of the ASME Boiler and Pressure Vessel Code. Such Quality Systems are subject to review and audit prior to issuance or renewal of a Certificate of Authorization.

"Reinstalled Boiler or Pressure Vessel". The term, Reinstalled Boiler or Pressure Vessel, shall mean a boiler or pressure vessel removed from its original setting and reinstalled at the same location or at a new location without change of ownership.

"Relief Valve". The term, Relief Valve, shall mean an automatic pressure relieving device actuated by the static pressure upstream of the valve which opens further with the increase in pressure over the opening pressure. It is used primarily for liquid service.

"Repair". The term, Repair, shall mean work necessary to return a boiler or pressure vessel to a safe operating condition.

"Rerating". The term, Rerating, shall mean the increase of the maximum allowable working pressure or temperature of a boiler or pressure vessel regardless of whether or not physical work is carried out to the boiler or pressure vessel. Rerating shall be considered to be an alteration.

"Safety Relief Valve". The term, Safety Relief Valve, shall mean an automatic pressure actuated relieving device suitable for use as a safety or relief valve, depending on application.

"Safety Valve". The term, Safety Valve, shall mean an automatic pressure relieving device actuated by the static pressure upstream of the valve and characterized by full opening pop action. It is used for gas or vapor service.

"Secondhand Boiler or Pressure Vessel". The term, Secondhand Boiler or Pressure Vessel, shall mean a boiler or pressure vessel which has changed both location and ownership since primary use.

"Standard Boiler or Pressure Vessel". The term, Standard Boiler or Pressure Vessel, shall mean a boiler or pressure vessel which bears

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the ASME Code Symbol.

"State Special". The term, State Special, shall mean a pressure vessel of special construction that may not be constructed in accordance with the ASME Code. See Section 120.1100 of this Part for the procedures for granting a State Special.

"Underwriters Laboratories (U.L.)". The term, Underwriters Laboratories, shall mean a non-profit independent organization testing for public safety. It maintains and operates laboratories for the examination and testing of devices, systems and materials to determine their relationship to life, fire and casualty hazards.

"Welding, Arc Welding". A group of welding processes wherein coalescence is produced by heating with an arc or arcs, with or without the application of pressure, and with or without the use of filler metal.

(Source: Amended at 11 Ill. Reg. _____, effective _____)

Section 120.900 Flame Safeguard Requirements

a) Furnace explosions (Combustion explosions) are caused by the sudden ignition of accumulated fuel and air in the firesides of the boiler. In order to reduce the chance of personal injury, damage to property, and loss of equipment from such explosions, the boiler shall be equipped with approved burners and controls, tested and maintained as recommended by a national recognized standard.

b) Except as otherwise specifically provided, the provisions of this Section apply to all gas, oil, pulverized coal, and combination gas and oil fired burners installed on boilers covered by Chapter 111 1-2, 3201-3217, otherwise known as the Boiler and Pressure Vessel Safety Act (Ill. Rev. Stat. ~~1985~~1989, ch. 111 1/2 par. 3201 et seq.).

c) This Act created a Board of Boiler and Pressure Vessel Rules who are empowered to promulgate rules and regulations for the safe and proper construction, installation, repair, use and operation of boilers, and the Board hereby adopts the following nationally recognized standards and their addenda, which are permissive immediately and shall become mandatory on and after July 1, 1983.

ASME CSD-1 ~~1977~~1988 Controls and Safety Devices for Automatically Fired Boilers, Part CF

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only, for boiler installed or reinstalled after January 1, 1991

NFPA 85 1976 Watertube Boiler-Furnaces (Oil or Gas-Fired)

NFPA 85B 1978 Multiple Burner Boiler Furnaces
NFPA 85D 1978 Multiple Burner Boiler Furnaces (Fuel Oil-Fired)

NFPA 85E 1980 Multiple Burner Boiler Furnaces (Pulverized Coal)

API American Petroleum Institute
1220 L Street, Northwest
Washington, D.C. 20005

ASME -- American Society of Mechanical Engineers
United Engineering Center
345 East 47th Street
New York, New York 10017

NFPA -- National Fire Protection Association
60 Batterymarch Street
Boston, Massachusetts 02110

d) The above standards represent basic standards for the safe and efficient performance and substantial and durable construction of equipment. Inspection of the flame safeguard equipment will be in conjunction with the regular inspections of boilers as required by Section 10 of the Boiler and Pressure Vessel Safety Act. (Ill. Rev. Stat. ~~1979~~ 1989, ch. 111 1/2, par. 3211).

e) In accordance with the authority granted under Section 2 of the Boiler and Pressure Vessel Safety Act, Chapter 111 1/2, par. 3202, the Board of Boiler and Pressure Vessel Rules had adopted the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers with the amendments, addenda and interpretations thereto made and those Sections listed below shall be deemed incorporated into and constitute a Part of the whole rules and regulations of the Board.

A.S.M.E. Boiler and Pressure Vessel Code ~~(1986)~~ (1989)

Section I

Power Boilers

Section II

Material Specifications -- Part A -- Ferrous

Section II

Material Specifications -- Part B -- Nonferrous

Section II

Material Specifications -- Part C -- Welding Rods Electrodes and Filler Metals

Section IV

Heating Boilers

Section V

Nondestructive Examination

Section VI

Recommended Rules for Care and Operation of Heating Boilers

Section VII

Recommended Rules for Care of Power Boilers

Section VIII

Pressure Vessels -- Division 1 Including Appendix M

Section VIII

Pressure Vessels -- Division 2 -- Alternative Rules

Section IX

Welding and Brazing Qualifications

Section X

Fiberglass -- Reinforced Plastic Pressure Vessels

f) Further, the Board of Boiler and Pressure Vessel Rules by resolution had adopted a manual for boiler and pressure vessel inspectors entitled, The National Board Inspection Code, ~~1972~~ 1989 Edition as revised August 1989 published by the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229.

g) In addition, for power piping, the Board has adopted ANSI B31.1 on power piping published by the American National Standards Institute (Power Piping, An American National Standard Code for Pressure Piping, ANSI/ASME B31.1, New York: The American Society of Mechanical Engineers, 1983).

(Source: Amended at __ Ill. Reg. _____, effective _____.)

Section 120.1000 Repairs and Alterations to Boilers and Pressure Vessels by Welding

~~a) R1--Introduction.---This--Section--covers--rules--for---repairs--and alterations--to--boilers--and--pressure-vessels-by-welding.---Where applicable-rules-for-a-repair-or-alteration-are-not-given,-it-is intended--that,--subject-to-approval--of-the--Inspector,--details--of design-and-construction-insofar-as-practicable,-will--be-consistent with-the-rules-of-the-ASME-Code-or-the-rules-for-repairs-contained in-the-National-Board-Inspection-Code-or-the-Code-to-which-the-item was-originally-constructed.~~

~~b) R2---General---Requirements---for---Repairs---and---Alterations.----The requirements-of-the-following-paragraphs-apply-to-all--repairs-and alterations-to-boiler-and-pressure-vessel-pressure-retaining-parts except---that---an---owner-user---of---pressure---vessels---qualified---in accordance-with-Section-15-of-the-Act-(Ill.-Rev.-Stat.--1985,-ch.--111 1/2,-par.--3216)--shall-have-the-option-of--using-the-provisions-of API-510--for--the-inspection,--repair,--alteration,--or--rerating--of pressure-vessels.~~

~~c) R3--Repairs.---No--repair--to--a--boiler-or--pressure-vessel--shall--be initiated--without--the--authorization--of--the-Inspector--who--shall satisfy--himself--that--the--welding--procedures--and--welders--are qualified-and-that-the-repair-methods-are-acceptable.--The-Inspector may-give-prior-approval-for-limited-repairs-provided-he-has-assured himself--that-the--repairs-are-described--in-Appendix--A.---In-every case,-however,-the-Inspector-shall-be-advised-of-each-repair-under such-prior-agreement.~~

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1) R3.1 Alterations. No alteration to a boiler or pressure vessel shall be initiated without the authorization of the Inspector who shall satisfy himself that the welding procedures and welders are qualified, and that the alteration methods and calculations are acceptable. If he considers it necessary he shall make an inspection of the object before granting such authorization. Alterations to boiler and pressure vessels shall be performed by an organization in possession of a valid ASME Certificate of Authorization to use the Code Symbol Stamp provided the alterations are within the scope of such authorization. An altered manufacturers report shall be submitted to the Division of Boiler and Pressure Vessel Safety for all alterations.

2) R3.2 Acceptance of Repairs and Alterations. Provided that repairs or alterations shall be acceptable to the Authorized Inspection Agency responsible for the boiler or pressure vessel, acceptance of repairs and alterations may be made by an Inspector employed by any of the following:

A) Illinois Division of Boiler and Pressure Vessel Safety

B) The Inspection Agency of record of the organization making the repair or alteration

C) The Authorized Inspection Agency, provided the work was not performed by his employer, except as provided in Paragraph R3.4 (Section 120.1000(c)(4) of this Part.

3) R3.3 Acceptance Inspection. It shall be the responsibility of the organization making the repair or alteration to coordinate the acceptance inspection of the repair or alteration.

4) R3.4 Owner User Acceptance Inspection of Repairs. An Owner User Inspector may perform acceptance inspections of repairs to boilers and pressure vessels when such repairs have been performed by his employer provided his organization and inspection procedures have specific approval of the jurisdiction. Such acceptance inspection procedures shall be subject to the concurrence of the Authorized Inspection Agency responsible for the boiler or pressure vessel.

d) R4 Welding

1) R4.1 Welding Procedure Specifications. The organization making

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repairs or alterations under this Part shall list the parameters applicable to welding that he performs in his welding procedure specification (WPS) document. Each such organization shall qualify the WPS by the welding of test coupons and the testing of specimens and recording the welding data and test results in his procedure qualification record (PQR) document.

2) R4.2 Welding Performance Qualification. Welders or welding operators shall qualify for each welding process that they use in the repair or alteration of a boiler or pressure vessel. Such qualification shall be in accordance with the requirements of Section IX of the ASME Code and to a qualified welding procedure specification of the organization making the repair or alteration.

3) R4.3 Welding Qualification Records. The organization making the repair or alteration shall maintain a record of the results obtained in welding procedures and welding performance qualifications. Their records shall be certified by the organization and shall be available to the Inspector prior to the start of welding.

e) R5 Materials. The materials used in making repairs or alterations shall conform to the requirements of Section II of the ASME Code. Material shall be compatible with the original material.

f) R6 Design of Welded Joints. Butt joints shall have complete penetration and complete fusion for the full length of the weld. The surfaces of the weld may be left "as welded", provided they are sufficiently free from coarse ripples, undercuts, grooves, overlaps, abrupt ridges and valleys to avoid stress risers.

g) R7 Replacement Pressure Parts. In general, replacement parts may be classified as follows:

1) Replacement parts subject to internal or external pressure that consist of materials which may be formed or assembled to the required shape by bending, forging or other forming methods, but on which no shop fabrication welding is performed may be supplied as material. Material and part identification shall be supplied in the form of bills of material and drawings with ASME Code compliance certified in a statement by the parts supplier.

2) Replacement parts subject to internal or external pressure that are not preassembled by welding, but on which shop inspection is not required by the ASME Code, shall have the welding performed in accordance with Section IX and other applicable Sections of the ASME Code. The replacement part assembly identification shall be supplied in the form of bills of material and drawings. The supplier or manufacturer shall certify that the material, design and fabrication are in accordance with the applicable Section of the ASME Code.

3) Replacement parts subject to internal or external pressure fabricated by welding which require shop inspection by an Authorized Inspector shall be fabricated by a manufacturer having an ASME Certificate of Authorization and the appropriate Code Symbol Stamp. A complete Manufacturer's Partial Data Report shall be supplied by the manufacturer.

h) R8 Pressure Tests

1) R8.1 Repairs. The Inspector may require a pressure test after the completion of a repair to a boiler or pressure vessel when in his judgment one should be conducted.

2) R8.2 Alterations. A pressure test shall be applied to the boiler or pressure vessel on the completion of an alteration.

3) R8.3 Requirements. Pressure tests shall be carried out in accordance with the applicable Section of the ASME Code.

i) R9 Repair Methods. Repair methods in these paragraphs shall be used in conjunction with the general requirements in Paragraph R2 (Section 120.1000(b) of this Part).

j) R10 Defect Repairs

1) R10.1 General. A repair of a defect, such as a crack in a welded joint or base material, shall not be made until the defect has been removed. A suitable nondestructive method shall be used to assure its complete removal. If the defect penetrates the full thickness of the material, the repair shall be made with a complete penetration weld such as double butt weld or a single butt weld with or without backing. Before repairing a cracked area, care should be taken to investigate its cause and to determine its extent. Where circumstances indicate that the crack is likely to recur, consideration

should be given to removing the cracked area and installing a patch.

2) R10.2 Unstayed Boiler Furnace Cracks. Cracks at the knuckle or at the turn of the flange of the furnace opening require immediate replacement of the affected area or specific approval of repairs by the Authorized Inspection Agency. (See Appendix A)

3) R10.3 Rivet or Staybolt Hole Cracks. Cracks radiating from rivet or staybolt holes may be repaired if the plate is not seriously damaged. If the plate is seriously damaged, it shall be replaced. For suggested methods of repair, see Appendix A, figure 2.

4) R10.4 Minor Defects. Minor cracks, isolated pits, and small plate inperfections should be examined to determine the extent of the defect and whether welding is required. When welding is required, these defects shall be prepared for welding by removing to solid metal. Liquid penetrant or magnetic particle examination may be used before or after welding.

5) R10.5 Defective Bolting. Defective bolting material shall not be repaired but shall be replaced with suitable material which meets the specifications of the applicable Section of the ASME Code.

k) R11 Wasted Areas

1) R11.1 Shells, Drums, Headers. Wasted areas in stayed and unstayed shells, drums and headers may be built up by welding provided that in the judgment of the Inspector the strength of the structure will not be impaired. Where extensive weld build up is employed, the Inspector may require an appropriate method of NDE (Non destructive Examination) for the complete surface of the repair. For suggested methods of building up wasted areas by welding, see Appendix A, Figure 3. See Paragraph R10.4 for repairs of minor defects (Section 120.1000(j)(4) of this Part).

2) R11.2 Access Openings. Wasted areas around access openings may be built up by welding or they may be repaired as described in Appendix A, Figure 4. In boilers, the area to be so repaired shall not be closer than 2 inch (50.8mm) from any knuckle.

3) R11.3-Flanges.--Wasted-flange-faces-may-be-cleaned-thoroughly and-built-up-with-weld-metal.--They-should-be-machined-in-place if-possible-to-a-thickness-not-less-than-that-of-the-original flange-or-that-required-by-calculations-in-accordance-with-the provisions-of-the-applicable-Section-of-the-ASME-Code.--Wasted flanges-may-also-be-remachined-in-place-without-building-up with-weld-metal-provided-the-metal-removed-in-the-process-does not-reduce-the-thickness-of-the-flange-to-a-measurement-below that-calculated-above.--Flanges-which-leak-because-of-warpage or-distortion-and-which-cannot-be-remachined-shall-be-replaced with-new-flanges-which-have-at-least-the-dimensions-conforming to-the-applicable-Section-of-the-ASME-Code.

4) R11.4-Tubes.--Wasted-areas-on-tubes-may-be-repaired-by-welding provided-that-in-the-judgment-of-the-Inspector-the-strength-of the-tube-has-not-been-impaired.

5) R11.5-Corrosion,-Grooving.

A) Localized--corrosion--that--produced--a--groove,--expecially along--or--immediately-adjacent-to-a-joint,-could-be-more serious-than-a-similar-amount-of-corrosion-on-solid-plate away-from-the-joints.--Grooving-and-cracks-along longitudinal-joints-are-especially-significant-as-they-are likely--to--occur--where--the--material--is--more--highly stressed.--Severe-corrosion-is-likely-to-occur-at-points where-the-circulation-of-the-corrosive-fluid-is-poor;-such places-shall-be-examined-most-carefully.

B) For-the-purpose-of--estimating-the-effect-of-corrosion-or other--defects-upon--the-strength--of-a-shell,--comparison shall--be--made-with--the--efficiency--of--the-longitudinal joint-of-the-same-boiler-or-pressure-vessel,-the-strength of-which-is-always-less-than-that-of-the-solid-sheet.

C) All-flanging-shall-be-inspected-thoroughly,--particularly the--flanges--of--heads--that--are--not--stayed.---Internal grooving-in-the-fillets-of-such-heads-and-external-grooving in-the-outer-surfaces-of-heads-concave-to-pressure-are very-common-since-there-is-a-slight-movement-in-heads-of this-character-which-produces-this-kind-of-defect.--Some types--of--boilers--or--pressure--vessels--have--the--OG--or reversed-flange-construction-in-a-few-of-their-parts-that may-be-inaccessible-to-the-eye,--but-the-conditions-shall be--determined--by--the--insertion--of--a--borescope,--fiber

optics-or-a-mirror-which,-at-a-proper-angle,-will-reflect back-to-the-eye-the-condition-of-such-a-part.

D) On-new-vessels-and-on-vessels-for-which-service-conditions are-being-changed,-one-of-the-following-methods-shall-be employed-to-determine-the-probable-rate-of-corrosion-from which-the-remaining-wall-thickness-at-the-time-of-the-next inspection-can-be-estimated.

i) The-corrosion-rate-as-established-by-accurate-data collected-by-the-owner-or-user-on-vessels-in-the same-or-similar-service.

ii) If-accurate-data--for--the-same-or-similar-service are-not-available,-the-probable-corrosion-rate--as estimated---from--the---Inspector's---knowledge--and experience-on-vessels-in-similar-service.

iii) If-the-probable-corrosion-rate-cannot-be-determined by-either-of-the-above-mentioned-methods,-thickness determinations--shall--be-made-after--approximately 1000-hours-of-service,-or-one-normal-run-if-longer than----this;----subsequent----sets----of----thickness measurements-shall-be-taken-after-additional similar--intervals--until--the--corrosion--rate--is determined--by--this--method;---the--corrosion--data indicated-by-the-first-inspection-may-be-used-as-a first-approximation-of-the-corrosion-rate-but-shall be-excluded-from-all-subsequent-computations-of-the corrosion---rate,---since--attack---on---the---initial surfaces-may-not-be-indicative-of-subsequent-attack on-corroded-surfaces.

1) R12-Seal-Welding

1) R12.1--Seal-Welding-of-Tubes.---Tubes-may-be-seal-welded provided-the-ends-of-the-tubes-have-sufficient-wall-thickness to-prevent-burn-through-and-the-requirements-of-the-appropriate Sections--of--the-ASME-Code-are-satisfied.---(See-Appendix-A, Figure-5)

2) R12.2--Seal-Welding-of-Riveted-Joints.---Edges-of-butt-straps, plate-laps-and-nozzles,-or-of-connections-attached-by-riveting may--be--restored--to--original--dimensions--by--welding.---Seal welding-of-riveted-joints,-butt-straps-or-rivets-shall-require

the approval of the Authorized Inspection Agency. If seal welding is approved, suggested methods and precautions are shown in Appendix A, Figure 6.

m) R13 Re-Ending or Piecing Pipes and Tubes. Re-ending or piecing pipes and tubes is permitted provided the thickness of the remaining tube or pipe is not less than 90 percent of that required by the applicable Section of the ASME Code.

n) R14 Patches

1) R14.1 Flush Patches. The weld around a flush patch shall be a full penetration weld and the accessible surfaces shall be ground flush where required by the applicable Section of the ASME Code. Examples of flush weld patches are shown in Appendix A, Figure 7. Flush welded patches shall be subjected to an appropriate nondestructive examination which shall be consistent with the original construction requirements.

2) R14.2 Tube Patches. In some situations it is necessary to weld a flush patch on a tube, such as when replacing tube sections and accessibility around the complete circumference of the tube is restricted or when it is necessary to repair a small bulge. This is referred to as a window patch. Suggested methods for window patches are shown in Appendix A, Figure 8.

3) R14.3 Stays. Threaded stays may be replaced by welded in stays provided that in the judgment of the Inspector, the plate adjacent to the staybolt has not been materially weakened by deterioration or wasting away. All requirements of the applicable Section of the ASME Code governing welded in stays shall be met.

o) R15 Alteration Methods. Alteration methods shall comply with the general requirements of R2 (Section 120.1000(b) of this Part and with the appropriate Section of the ASME Code including any service restrictions.

p) R16 Replacement Drums and Shells. Major replacement pressure parts, including drums and shells, which are fabricated by welding and for which a Manufacturers Data Report is required by the applicable Code Section shall be fabricated by a manufacturer having an ASME Certificate of Authorization and the appropriate Code Symbol Stamp. The item shall be inspected, stamped with the applicable Code Symbol and the word "PART", and reported on the appropriate Manufacturers Partial Data Report.

q) R17 Replaced Stamping. When a repair or alteration requires removal of that part of a boiler or pressure vessel containing the Code Stamping, the Inspector shall, subject to the approval of the jurisdiction, witness the making of a facsimile of stamping, the obliteration of the old stamping and the transfer of the stamping to the new part. When the stamping is on a nameplate, the Inspector is to witness the transfer of the nameplate to the new part. The Code Symbol is not to be restamped.

r) R18 Rerating of a Boiler or Pressure Vessel. Rerating a boiler or pressure vessel by increasing the maximum allowable working pressure or temperature shall be considered an alteration and may be done only after the following requirements have been met to the satisfaction of the Authorized Inspection Agency:

1) Revised calculations verifying the new service conditions shall be required from the original manufacturer and shall be acceptable to his Authorized Inspection Agency. Where such calculations can not be obtained from this source, they may be prepared by a Professional Engineer and forwarded for review by the Authorized Inspection Agency.

2) All reratings shall be established in accordance with the requirements of the Code to which the boiler or pressure vessel was built or by computation using the appropriate formulas in the latest edition of the ASME Code if all essential details are definitely known to comply with the edition of the Code to which the object was built.

3) Current inspection records verify that the boiler or pressure vessel is satisfactory for the proposed service conditions.

4) The boiler or pressure vessel has been pressure tested, as required, for the new service conditions.

s) R19 Suggestions

1) The Inspector should be well informed of the natural and neglectful causes of defects and deterioration of boilers and pressure vessels. He should be conscientious and extremely careful in his observations, taking sufficient time to make the examinations thorough in every way, taking no one's statement as final as to conditions not observed by him, and, in the event of inability to make thorough inspections, he should note it in his report and not accept the statements of others.

2) The Inspector shall make a general observation of the

~~conditions of the boiler room and apparatus, as well as of the attendants, as a guide in forming an opinion of the general care of the equipment.~~

~~3) He shall weigh very carefully the condition of any defects in order to determine its relation to, or influence upon, the safety of the inspected boiler or pressure vessel. He shall question responsible employees as to the history of old boilers or pressure vessels, their peculiarities and behavior, ascertain what, if any, repairs have been made and, if any, their character, and he shall investigate and determine whether they were made properly and safely.~~

a) Introduction. This Subpart covers rules for repairs and alterations to boilers and pressure vessels by welding. Where applicable rules for a repair or alteration are not given, it is intended that, subject to approval of the Inspector, details of design and construction insofar as practicable, will be consistent with the rules of the A.S.M.E. Code or the rules for repairs contained in the National Board Inspection Code or the Code to which the item was originally constructed.

b) General Requirements for Repairs and Alterations. The requirements of this Subpart apply to all repairs and alterations to boiler and pressure vessel pressure retaining parts except that an owner-user of pressure vessels qualified in accordance with Section 15 of the Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 3216) shall have the option of using the provisions of API-510 for the inspection, repair, alteration, or rerating of pressure vessels. Organizations in possession of an A.S.M.E. Certificate of Authorization or a National Board "R" Stamp need not meet the requirements of Sections 120.1010, 120.1020, 120.1030 or 120.1040.

c) All boilers and pressure vessels covered by this Act that are repaired after January 1, 1992, must be repaired by one of the following:

1) By an organization in possession of a valid A.S.M.E. "H", "S" or "U" Certificate of Authorization.

2) By an organization in possession of a valid "R" Certificate of Authorization issued by the National Board of Boiler and Pressure Vessel Inspectors.

3) An organization authorized by the Division of Boiler and Pressure Vessel Safety pursuant to this Subpart.

d) All boilers and pressure vessels covered by this Act altered after January 1, 1992 shall be performed in accordance with Section 120.1041 (b).

(Source: Amended at __ Ill. Reg. _____, effective _____.)

Section 120.1010 Authorization to Repair Boilers and Pressure Vessels

Realizing the importance of the proper repair of boilers and pressure vessels, the Board of Boiler and Pressure Vessel Rules authorized the development of procedures and rules for the issuance and use of the Certificate of Authorization for repair for those organizations requesting authorization to repair boilers and pressure vessels under Section 120.1000(c)(3). The Division shall review the repair organization's Quality Control Manual and shall require a demonstration of the repair organization's Quality Control System as described in this Subpart.

(Source: Added at __ Ill. Reg. _____, effective _____.)

Section 120.1020 Issuance and Renewal of the Certificate

Authorization to repair boilers and unfired pressure vessels will be granted by the Division of Boiler and Pressure Vessel Safety, Office of the State Fire Marshal, pursuant to the provisions of the following administrative procedures and rules:

a) A Certificate of Authorization will be issued for a period of three years. The certificate shall indicate authorization to repair either boilers or pressure vessels or both, as covered by the repair organization's Quality Control Manual. The Certificate will be signed by the Chief Inspector.

b) The applicant should apply to the Division for renewal of authorization and reissuance of the Certificate at least six (6) months prior to the date of expiration.

c) Before issuance or renewal of the Certificate of Authorization, the repair organization shall demonstrate its' Quality Control System to a representative of the Division.

d) It is the responsibility of the repair organization to make arrangements for this review. Certificates cannot be issued nor renewed until the Division has completed this review.

(Source: Added at __ Ill. Reg. _____, effective _____.)

Section 120.1030 Changes to Certificates of Authorization

When an organization authorized by the Division to repair boilers and pressure vessels changes location and/or ownership or name, the Office of the State Fire Marshal, Division of Boiler & Pressure Vessel Safety shall be notified. When a repair organization changes location, name or ownership, a review of its' Quality Control System shall be required.

(Source: Added at ___ Ill. Reg. _____, effective _____)

Section 120.1040 Quality Control Requirements

Quality Control System

a) General

1) Before issuance or renewal of a Certificate of Authorization, the Repair Organization must meet all requirements including an acceptable written Quality Control System which shall include, but not be limited to, material control, fabrication, welding, nondestructive examination, testing and inspection.

2) The written Quality Control System shall also include provisions for making revisions, posting and dating changes in the program enabling the system to be kept current as required.

3) The description and information of the system may be brief or voluminous, depending upon the circumstances.

4) In general, the Quality Control System shall describe and explain what documents and procedures the repair firm will use to validate a repair.

5) A review of the Repair Organization's Quality Control System will be performed by a representative of the Division. The review will include a demonstration of the implementation of the provisions of the Repair Organization's Quality Control System.

6) Each Repair Organization to whom a certificate is issued shall maintain thereafter an up to date copy of his accepted Quality Control Manual with the Division. Revisions to the Quality Control Manual shall not be implemented until such revisions are accepted by the Division.

b The following sets the minimum requirements of the Division for a written Quality Control System for repairs of boilers and pressure vessels. It is intended for use by manufacturers, repair organizations, or users. It is essential that each repair organization develop its own Quality Control System which meets the requirements of its' organization. For this reason, it is not possible to develop one Quality Control System which could apply to more than one organization. Some of these requirements are:

1) Title Page - The title page shall include the name and address of the company to which the Certificate of Authorization is to be issued. It shall also list the Sections of the A.S.M.E. Code to which the repairs apply.

2) Revision Log - A revision log is required to assure revision control of the Quality Control Manual. The log shall contain sufficient space for date, description and section of revision, company approval and Division acceptance.

3) Contents Page - The contents page shall list and reference, by paragraph and page number, the subjects and exhibits contained therein.

4) Statement of Authority and Responsibility - A statement of authority and responsibility shall appear on company letterhead, dated and signed by an officer of the company verifying the following:

A) If there is a disagreement in the implementation of the written Quality Control System, the matter is referred to a higher authority in the company for resolution; and

B) The title of the individual authorized to approve revisions to the written Quality control System and the method by which such revisions are to be submitted to the Division for acceptance before implementation.

5) Organizational Chart - The organizational chart shall include all departments or divisions within the company that perform functions affecting the quality of the repair and show the relationship.

6) Scope of Work - The scope of work section shall clearly indicate the scope and type repairs the organization is capable of and intends to carry out. The scope can be limited by

engineering, machine tools, welding processes, heat treatment facilities, testing facilities, non-destructive examination (NDE) techniques or qualified personnel.

7) Drawings and Specification Control - The drawings and specification control system shall provide procedures assuring that the latest applicable drawings, specifications and instructions required are used for repair, inspection and testing.

8) Material Control - The material control section shall describe procurement material with request for mill test certification as required. It shall also describe receiving, storage and issuance as well as the following.

A) State the title of the individual responsible for the procurement of all material.

B) State the title of the individual responsible for certification and other records as required.

C) All incoming material and parts shall be checked for conformance with the purchase order and, where applicable, the material specifications or drawings. Indicate how material or part is identified and how identity is maintained by the Quality Control System.

9) Repair and Inspection Program - The repair and inspection program section shall include reference to a document (such as a report, traveler or checklist) which outlines the specific repair and inspection procedures used in the repair. Provisions shall be made to retain this document for a period of at least five (5) years as a part of quality control traceability documents. The document referred to above shall include material check, reference to items such as the welding procedure specifications (WPS), fit-ups, NDE technique, heat treatment, and hydrostatic/pneumatic pressure test methods to be used. There shall be a space for "sign-offs" at each operation to verify that each step has been properly performed.

10) Welding, NDE and Heat Treatment. The Quality Control Manual shall indicate the title of the person(s) responsible for the development and approval of the welding procedure specifications and their qualifications, and the qualifications of welders and welding operators. Welding procedures

specifications and welders and welding operators shall be qualified to the requirements of the A.S.M.E. Boiler and Pressure Vessel Code, Section IX. Similarily, NDE and heat treatment techniques must be covered in the Quality Control Manual. When outside services are used, the Quality Control Manual shall describe the system, whereby the use of such services meet the requirements of the applicable Section of the A.S.M.E. Code.

11) Calibration of Measurement and Test Gauges - The calibration of measurement and test gauges system shall include the periodic calibration of measuring instruments and pressure gauges.

A) Pressure gauges are to be checked periodically (indicate time schedule) by the person authorized (indicate title). The method of gauge testing is to be indicated and results recorded.

B) Periodically, all master instruments shall be calibrated preferably but not necessarily to measuring equipment traceable to the National Bureau of Standards.

12) Controlled Copy - An up to date copy of the written Quality Control System shall be submitted to the Division for review and acceptance. Revisions shall also be submitted for acceptance prior to being implemented.

13) Sample Forms - Forms used in the Quality Control System shall be included in the manual with a written description. Forms exhibited shall be marked "SAMPLE" and completed in a manner typical of actual repair procedures.

14) Individuality Important - It is extremely important that the manual describe and the operation implement the system of each repair organization firm while meeting the requirements of this Subpart.

(Source: Added at __ Ill. Reg. _____, effective _____.)

Section 120.1041 Repair & Alteration Requirements

a) Repairs. No repair to a boiler or pressure vessel shall be initiated without the authorization of the Inspector who shall satisfy himself that the welding procedures and welders are

qualified and that the repair methods are acceptable. The Inspector may give prior approval for repairs of a routine nature provided he has assured himself that the repairs are described in Appendix A (c). In every case, however, the Inspector shall be advised of each repair under such prior agreement.

b) Alterations. Except as permitted for owner/users in Section 120.1000(b) alterations to boilers and pressure vessels shall be performed by an organization in possession of a valid A.S.M.E. Certificate of Authorization to use the appropriate code symbol stamp or a National Board "R" Certificate of Authorization provided the alterations are within the scope of such authorization. No alteration to a boiler or pressure vessel shall be initiated without the authorization of the Inspector who shall satisfy himself that the alteration methods and calculations are acceptable. If he considers it necessary, he shall make an inspection of the object before granting such authorization.

c) Acceptance of Repairs and Alterations. Provided that repairs or alterations shall be acceptable to the Authorized Inspection Agency responsible for the boiler or pressure vessel, acceptance of repairs and alterations may be made by an Inspector employed by any of the following:

1) Illinois Division of Boiler and Pressure Vessel Safety.

2) The Inspection Agency of record of the organization making the repair or alteration.

3) The Authorized Inspection Agency, provided the work was not performed by his employer, except as provided in (Section 120.1041(e) of this Part.

d) Acceptance Inspection. It shall be the responsibility of the organization making the repair or alteration to coordinate the acceptance inspection of the repair or alteration. Except for repairs of a routine nature, a completed record of welding repairs shall be submitted to the Division. (Appendix B) An acceptable alternate to Appendix B is the National Board R-1 Form.

e) Owner-User Acceptance Inspection of Repairs. An Owner-User Inspector may perform acceptance inspections of repairs to boilers and pressure vessels when such repairs have been performed by his employer provided his organization and inspection procedures have specific approval of the Division. Such acceptance inspection

procedures shall be subject to the concurrence of the Authorized Inspection Agency responsible for the boiler or pressure vessel.

f) Replacement Pressure Parts. In general, replacement parts may be classified as follows:

1) Replacement parts subject to internal or external pressure that consist of materials which may be formed or assembled to the required shape by bending, forging or other forming methods, but on which no shop fabrication welding is performed may be supplied as material. Material and part identification shall be supplied in the form of bills of material and drawings with A.S.M.E. Code compliance.

2) Replacement parts subject to internal or external pressure that are preassembled by welding, but on which shop inspection is not required by the A.S.M.E. Code, shall have the welding performed in accordance with Section IX and other applicable Sections of the A.S.M.E. Code. The replacement part assembly identification shall be supplied in the form of bills of material and drawings. The supplier or manufacturer shall certify that the material, design and fabrication are in accordance with the applicable Section of the A.S.M.E. Code.

3) Replacement parts subject to internal or external pressure fabricated by welding which require shop inspection by an Authorized Inspector shall be fabricated by a manufacturer having an A.S.M.E. Certificate of Authorization and the appropriate Code Symbol Stamp. A complete Manufacturer's Partial Data Report shall be supplied by the manufacturer.

g) Pressure Tests

1) Repairs. The Inspector may require a pressure test after the completion of a repair to a boiler or pressure vessel when in his judgment one should be conducted.

2) Alterations. A pressure test in accordance with the National Board Inspection Code 1989 Edition as revised August 1989 shall be applied to the boiler or pressure vessel on the completion of an alteration.

h) Repair Methods. Repair methods in these paragraphs shall be used in conjunction with the general requirements in Section 120.1000(b) of this Part.

i) Defect Repairs

1) General. A repair of a defect, such as a crack in a welded joint or base material, shall not be made until the defect has been removed. A suitable nondestructive method shall be used to assure its complete removal. If the defect penetrates the full thickness of the material, the repair shall be made with a complete penetration weld such as double butt weld or a single butt weld with or without backing. Before repairing a cracked area, care should be taken to investigate its cause and to determine its extent. Where circumstances indicate that the crack is likely to recur, consideration should be given to removing the cracked area and installing a patch.

2) Unstayed Boiler Furnace Cracks. Cracks at the knuckle or at the turn of the flange of the furnace opening require immediate replacement of the affected area or specific approval of repairs by the Authorized Inspection Agency. (See Appendix A Figure 1)

3) Rivet or Staybolt Hole Cracks. Cracks radiating from rivet or staybolt holes may be repaired if the plate is not seriously damaged. If the plate is seriously damaged, it shall be replaced. For suggested methods of repair, see Appendix A, Figure 2.

4) Minor Defects. Minor cracks, isolated pits, and small plate imperfections should be examined to determine the extent of the defect and whether welding is required. When welding is required, these defects shall be prepared for welding by removing to solid metal. Liquid penetrant or magnetic particle examination may be used before or after welding.

5) Defective Bolting. Defective bolting material shall not be repaired but shall be replaced with suitable material which meets the specifications of the applicable Section of the A.S.M.E. Code.

j) Wasted Areas

1) Shells, Drums, Headers. Wasted areas in stayed and unstayed shells, drums and headers may be built up by welding provided that in the judgment of the Inspector the strength of the structure will not be impaired. Where extensive weld build-up is employed, the Inspector may require an appropriate method of

NDE (Non-destructive Examination) for the complete surface of the repair. For suggested methods of building up wasted areas by welding, see Appendix A, Figure 3. For repairs of minor defects see Section 120.1041(i)(4) of this Part.

2) Access Openings. Wasted areas around access openings may be built up by welding or they may be repaired as described in Appendix A, Figure 4. In boilers, the area to be so repaired shall not be closer than 2 inch (50.8mm) from any knuckle.

3) Flanges. Wasted flange faces may be cleaned thoroughly and built up with weld metal. They should be machined in place if possible to a thickness not less than that of the original flange or that required by calculations in accordance with the provisions of the applicable Section of the A.S.M.E. Code. Wasted flanges may also be remachined in place without building up with weld metal provided the metal removed in the process does not reduce the thickness of the flange to a measurement below that calculated above. Flanges which leak because of warpage or distortion and which cannot be remachined shall be replaced with new flanges which have at least the dimensions conforming to the applicable Section of the A.S.M.E. Code.

4) Tubes. Wasted areas on tubes may be repaired by welding provided that in the judgment of the Inspector the strength of the tube has not been impaired.

5) Corrosion, Grooving.

A) Localized corrosion that produced a groove, especially along or immediately adjacent to a joint, could be more serious than a similar amount of corrosion on solid plate away from the joints. Grooving and cracks along longitudinal joints are especially significant as they are likely to occur where the material is more highly stressed. Severe corrosion is likely to occur at points where the circulation of the corrosive fluid is poor; such places shall be examined most carefully.

B) For the purpose of estimating the effect of corrosion or other defects upon the strength of a shell, comparison shall be made with the efficiency of the longitudinal joint of the same boiler or pressure vessel, the strength of which is always less than that of the solid sheet.

C) All flanging shall be inspected thoroughly, particularly the flanges of heads that are not stayed. Internal grooving in the fillets of such heads and external grooving in the outer surfaces of heads concave to pressure are very common since there is a slight movement in heads of this character which produces this kind of defect. Some types of boilers or pressure vessels have the OG or reversed-flange construction in a few of their parts that may be inaccessible to the eye, but the conditions shall be determined by the insertion of a borescope, fiber optics or a mirror which, at a proper angle, will reflect back to the eye the condition of such a part.

D) On new vessels and on vessels for which service conditions are being changed, one of the following methods shall be employed to determine the probable rate of corrosion from which the remaining wall thickness at the time of the next inspection can be estimated.

i) The corrosion rate as established by accurate data collected by the owner or user on vessels in the same or similar service.

ii) If accurate data for the same or similar service are not available, the probable corrosion rate as estimated from the Inspector's knowledge and experience on vessels in similar service.

iii) If the probable corrosion rate cannot be determined by either of the above mentioned methods, thickness determinations shall be made after approximately 1000 hours of service, or one normal run if longer than this; subsequent sets of thickness measurements shall be taken after additional similar intervals until the corrosion rate is determined by this method; the corrosion data indicated by the first inspection may be used as a first approximation of the corrosion rate but shall be excluded from all subsequent computations of the corrosion rate, since attack on the initial surfaces may not be indicative of subsequent attack on corroded surfaces.

k) Seal Welding

1) Seal Welding of Tubes. Tubes may be seal welded provided the ends of the tubes have sufficient wall thickness to prevent burn through and the requirements of the appropriate Sections of the A.S.M.E. Code are satisfied. (See Appendix A, Figure 5)

2) Seal Welding of Riveted Joints. Edges of butt straps, plate laps and nozzles, or of connections attached by riveting may be restored to original dimensions by welding. Seal welding of riveted joints, butt straps or rivets shall require the approval of the Authorized Inspection Agency. If seal welding is approved, suggested methods and precautions are shown in Appendix A, Figure 6.

l) Re-Ending or Piecing Pipes and Tubes. Re-ending or piecing pipes and tubes is permitted provided the thickness of the remaining tube or pipe is not less than 90 percent of that required by the applicable Section of the A.S.M.E. Code.

m) Patches

1) Flush Patches. The weld around a flush patch shall be a full penetration weld and the accessible surfaces shall be ground flush where required by the applicable Section of the A.S.M.E. Code. Examples of flush weld patches are shown in Appendix A, Figure 7. Flush welded patches shall be subjected to an appropriate nondestructive examination which shall be consistent with the original construction requirements.

2) Tube Patches. In some situations it is necessary to weld a flush patch on a tube, such as when replacing tube sections and accessibility around the complete circumference of the tube is restricted or when it is necessary to repair a small bulge. This is referred to as a window patch. Suggested methods for window patches are shown in Appendix A, Figure 8.

3) Stays. Threaded stays may be replaced by welded-in stays provided that in the judgment of the Inspector, the plate adjacent to the staybolt has not been materially weakened by deterioration or wasting away. All requirements of the applicable Section of the A.S.M.E. Code governing welded-in stays shall be met.

n) Alteration Methods. Alteration methods shall comply with the general requirements of (Section 120.1000(b) of this Part and with the appropriate Section of the A.S.M.E. Code including any service restrictions.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

o) Replacement Drums and Shells. Major replacement pressure parts, including drums and shells, which are fabricated by welding and for which a Manufacturers Data Report is required by the applicable Code Section shall be fabricated by a manufacturer having an A.S.M.E. Certificate of Authorization and the appropriate Code Symbol Stamp. The item shall be inspected, stamped with the applicable Code Symbol and the word "PART", and reported on the appropriate Manufacturers Partial Data Report.

p) Replaced Stamping. When a repair or alteration requires removal of that part of a boiler or pressure vessel containing the Code Stamping, the Inspector shall, subject to the approval of the jurisdiction, witness the making of a facsimile of stamping, the obliteration of the old stamping and the transfer of the stamping to the new part. When the stamping is on a nameplate, the Inspector is to witness the transfer of the nameplate to the new part. The Code Symbol is not to be restamped.

q) Rerating of a Boiler or Pressure Vessel. Rerating of a boiler or pressure vessel by increasing the maximum allowable working pressure (internal or external) or temperature, or decreasing the minimum temperature such that additional mechanical tests are required, shall be considered an alteration and shall be done only after the following requirements have been met to the satisfaction of the Authorized Inspection Agency.

1) Revised calculations verifying the new service conditions shall be required from the original manufacturer for review and acceptance by the Authorized Inspection Agency. Where such calculations can not be obtained from this source, they may be prepared by a Professional Engineer and forwarded for review and acceptance by the Authorized Inspection Agency.

2) All reratings shall be established in accordance with the requirements of the Code to which the boiler or pressure vessel was built or by computation using the appropriate formulas in the latest edition of the A.S.M.E. Code if all essential details are definitely known to comply with the edition of the Code to which the object was built.

3) Current inspection records verify that the boiler or pressure vessel is satisfactory for the proposed service conditions.

4) The boiler or pressure vessel has been pressure tested for the rerated condition as required by Section 120.1041(g)2.

OFFICE OF THE STATE FIRE MARSHAL

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r) Suggestions

1) The Inspector should be well informed of the natural and neglectful causes of defects and deterioration of boilers and pressure vessels. He should be conscientious and extremely careful in his observations, taking sufficient time to make the examinations thorough in every way, taking no one's statement as final as to conditions not observed by him, and, in the event of inability to make thorough inspections, he should note it in his report and not accept the statements of others.

2) The Inspector shall make a general observation of the conditions of the boiler room and apparatus, as well as of the attendants, as a guide in forming an opinion of the general care of the equipment.

3) He shall weigh very carefully the condition of any defects in order to determine its relation to, or influence upon, the safety of the inspected boiler or pressure vessel. He shall question responsible employees as to the history of old boilers or pressure vessels, their peculiarities and behavior, ascertain what, if any, repairs have been made and, if any, their character, and he shall investigate and determine whether they were made properly and safely.

(Source: Added at __ Ill. Reg. _____, effective _____.)

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

Section 120.Appendix B Record of Welded Repair

OFFICE OF THE STATE FIRE MARSHAL
DIVISION OF BOILER & PRESSURE VESSEL SAFETY
1035 STEVENSON DRIVE
SPRINGFIELD, IL 62703-4259
217/782-2696

RECORD OF WELDED REPAIR

==========

1. Work done by:_____
(name & address of repair organization)

2. Owner: _____

3. Location of installation:_____
(name and address)

4. Manufacturer:_____

5. Identifying nos.: _____ _____
(Mfr's Serial No.) (National Board No.)

_____ _____
(Illinois Identification No. (Year Built)

6. Description of work:_____
(use back, separate sheet, or sketch if necessary)

_____

_____

_____Pressure test, if applied _____ psi

7. _____ _____
REPAIR ORGANIZATION DATE AUTHORIZED INSPECTOR DATE

Source: Added at __ Ill. Reg. _____, effective _____.)

DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Illinois Child Labor Law

2) Code Citation: 56 Ill. Adm. Code 250

3)

Section Numbers:	Proposed Action:
250.105	Amended
250.115	Amended
250.125	Amended
250.130	Amended
250.135	Amended
250.155	New Section
250.160	New Section
250.165	New Section
250.170	New Section
250.175	New Section
250.180	New Section
250.200	Amended
250.600	Amended
250.700	Amended
250.705	New Section
250.710	New Section
250.715	New Section
250.805	Amended
250.820	Amended
250.825	Amended
250.855	New Section
250.860	New Section

4) Statutory Authority: Implementing Section 1, 3, 6, 3.1, 17.1 - 17.3 of the Illinois Child Labor Law (Ill. Rev. Stat. 1989 ch. 48, pars. 31.1, 31.3, 31.6, 31.8-1, 31.17-31.73).

5) A complete Description of the Subjects and Issues Involved: These amendments update the language of the Rules to cover the practices of modern day business. They also establish more complete standards for administrative hearings.

6) Will this proposed rule replace an emergency rule currently in effect? Yes.

7) Does this rulemaking contain an automatic repeal date? No.

DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

8) Does this proposed amendment contain incorporation by reference? Yes.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: To make it more difficult for employers to evade the law with respect to minors working on their premises.

11) Time, Place, and Manner in which interested persons may comment on their proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit comments no later than 45 days after the publication of this Notice to:

Ann Plunkett-Sheldon, Chief Legal Counsel
Illinois Department of Labor
310 South Michigan Avenue, 10th Floor
Chicago, Illinois 60604

12) Initial Regulatory Flexibility Analysis: The Department has determined that this proposed rulemaking will affect small business as that term is defined by Ill. Rev. Stat. 1989, ch. 127, par. 1003.10.

The text of the Proposed Amendments is identical to the text of the Emergency Amendments which appear on page 16134 of this issue of the Illinois Register.

DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Treatment and Habilitation Services

2) Code Citation: 59 Ill. Adm. Code 112

3) Section Number: Proposed Action:

112.90 Amendment

4) Statutory Authority: Implementing Sections 2-102, 2-107.1 and 2-107.2 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1989 and 1990 Supp., as amended by P.A. 86-124, effective August 13, 1991, ch. 91½, pars. 2-102, 2-107.1, 2-107.2 and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1989, ch. 91½, par. 5-104) and Section 5 of the Department of Mental Health and Developmental Disabilities Act (Ill. Rev. Stat. 1990 Supp., ch. 91½, par 100-5).

5) A Complete Description of the Subjects and Issues Involved: Section 112.90 is being amended to reflect recent legislation which requires physicians to advise recipients in writing of possible side effects of psychotropic medication; establishes multi-disciplinary committees to review ongoing medication; and sets out the procedure for petitioning a court for involuntary administration of psychotropic medication.

In addition, all statutory references have been updated.

6) Will this proposed amendment replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain incorporations by reference? This rulemaking does not contain any incorporations by reference in accordance with Section 6.02(b) of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 91½, par. 1006-02(b).

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: This rulemaking does not impact the State Mandates Act (Ill. Rev. Stat. 1989, ch. 85, par. 2201 et seq.).

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11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Any interested person may submit comments, data, views or argument regarding this proposed rulemaking before the expiration of the first 45-day notice period. Submissions must be in writing and directed to: Rules Administrator, Illinois Department of Mental Health and Developmental Disabilities, 402 Stratton Building, Springfield, IL 62765, telephone (217)785-3313.

12) Initial Regulatory Flexibility Analysis: This rulemaking does not impact small businesses.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF MENTAL HEALTH AND
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NOTICE OF PROPOSED AMENDMENT

TITLE 59: MENTAL HEALTH
CHAPTER I: DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

PART 112
TREATMENT AND HABILITATION SERVICES

Section
112.10 Utilization review hearings
112.20 Admission, treatment and habilitation of mentally retarded persons
112.30 Recipient physical and dental examinations and informed consent for services
112.40 Release and burial of deceased recipients
112.50 Tuberculosis control program (Repealed)
112.70 Protection of human subjects
112.80 Use of narcotics and psychotropic drugs in Department facilities
112.90 Administration of psychotropic drugs

AUTHORITY: Implementing Sections 2-102, 2-107.1, 2-107.2, 3-207, 3-405, 3-903, 3-910, 4-209, 4-312, 4-704 and 4-709 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. ~~1987~~ 1989 and 1990 Supp., as amended by P.A. 86-124, effective August 13, 1991, ch. 91½, pars. 3-207, 3-405, 3-903, 3-910, 4-209, 4-312, 4-704 and 4-709) and Sections 5.1 and 7 of **"AN ~~ACT codifying the powers and duties of~~** the Department of Mental Health and Developmental Disabilities" Act (Ill. Rev. Stat. ~~1987~~ 1990 Supp., ch. 91½, pars. 100-5.1 and 100-7) and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. ~~1987~~ 1989, ch. 91½, par. 5-104) and Section 5 of **"AN ~~ACT codifying the powers and duties of~~** the Department of Mental Health and Developmental Disabilities" Act (Ill. Rev. Stat. ~~1987~~ 1990 Supp., ch. 91½, par. 100-5).

SOURCE: Release and Burial of Deceased Patients adopted at October 1, 1969; Tuberculosis Control Program adopted at May 28, 1975; Protection of Human Subjects adopted at October 2, 1973; Use of Narcotics and Psychotropic Drugs in Department Facilities adopted at July 1, 1974; amended at 3 Ill. Reg. 28, p. 90, effective July 16, 1979; amended at 4 Ill. Reg. 17, p. 234, effective April 15, 1980; Administration of Psychotropic Drugs adopted at June 14, 1974; amended at 3 Ill. Reg. 28, p. 100, effective July 16, 1979; amended at 4 Ill. Reg. 17, p. 234, effective April 15, 1980; rules merged and codified at 5 Ill. Reg. 10725; amended at 9 Ill. Reg. 12785, effective August 1, 1985; amended at 10 Ill. Reg. 11894, effective July 1, 1986; amended at 13 Ill. Reg. 20344 effective December 19, 1989~~.~~; amended at 16 Ill. Reg. _____ effective _____.

NOTE: Bold-face type denotes statutory language.

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Section 112.90 Administration of psychotropic drugs

This Section addresses the initiation of drug treatment with psychotropic drugs (as defined in Section 112.80(a)) in the newly admitted recipient and the on-going monitoring of drug treatment thereafter. Each Department facility shall establish procedures consistent with this Section, in accordance with professional practice requirements~~;~~ ~~Departmental directives;~~ and with the facility's organization, resources, and clinical population. Professional practice means those practices which a licensed physician (Medical Practice Act of 1987 (Ill. Rev. Stat. ~~1983~~ 1989, ch. 111, pars. ~~4401~~ 4400-1 et seq.)) would use when exercising his~~/~~ or her professional clinical judgment in prescribing medication and which a licensed registered nurse or licensed practical nurse (The Illinois Nursing Act of 1987 (Ill. Rev. Stat. ~~1983~~ 1989, ch. 111, pars. 3~~4~~501 et seq.)) would use when exercising his~~/~~or her professional clinical judgment in administering medication.

a) Initiation of drug treatment

~~1) All recipients shall receive a medical history, physical examination and either a psychiatric or, in the case of developmentally disabled recipients, a psychological examination within 24 hours of their admission to a Department facility and those laboratory tests determined by a licensed physician, when exercising his/her professional clinical judgment in administering medication, shall be ordered.~~

~~2) No medication shall be prescribed for a recipient unless:~~

~~A) A medical, physical, and either a psychiatric or, in the case of developmentally disabled recipient, a psychological examination of the recipient has been conducted and documented in the recipient's medical record. The prescribing physician shall conduct the examinations personally, or shall review the record of the examinations. The prescribing physician shall record and sign the prescription, and shall also record in the recipient's medical record the recipient's mental status (as defined in The American Psychiatric Association's Psychiatric Glossary, 5th Edition, Washington, D.C., 1980), the intended effects of the prescribed medication, and other pertinent information, such as the relationship of the drug therapy to other forms of treatment or habilitation and potential interaction with any other medication being delivered to the recipient, or~~

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1) No medication shall be prescribed for a recipient unless examinations have been conducted in accordance with Section 112.30(a). The prescribing physician shall conduct the examinations personally, or shall review the record of the examinations. The prescribing physician shall record and sign the prescription, and shall also record in the recipient's medical record the recipient's mental status (as defined in the Diagnostic and Statistical Manual of Mental Disorders, Third Edition, revised (DSM-III-R, American Psychiatric Association, 1987, with no later amendments or editions), the intended effects of the prescribed medication, and other pertinent information, such as the relationship of the drug therapy to other forms of treatment or habilitation and potential interaction with any other medication being delivered to the recipient, or

2) ~~B)~~ The prescribing physician has determined by personal observation that the recipient is in need of immediate medication in order to prevent physical harm to himself ~~/~~ or herself or others, and shall so document this in the recipient's medical record, or

3) ~~C)~~ The prescribing physician cannot immediately examine the recipient in person, but has determined, based on a description of the recipient's behavior, other medications, and known medical problems, that immediate administration of psychotropic medication is in the recipient's best interest in order to prevent physical harm to himself~~/~~ or herself or others. The prescribing physician shall document this determination in the recipient's medical record within 48 hours of prescribing medication.

~~3)~~ 4) The prescribing physician may verbally (including by telephone) authorize the administration of medication. The prescribing physician shall dictate the oral medication order to a registered nurse pursuant to the Illinois Nursing Act of 1987 ~~(Ill. Rev. Stat. 1983, ch. 111, pars. 3401 et seq.)~~ and shall sign the order within 24 hours. In each case, within 48 hours of any oral authorization, the prescribing physician shall also enter a progress note in the recipient's medical record that states:

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A) The reasons for prescribing the psychotropic medication, including the information given by the person requesting the prescription;

B) The medication's intended effect, and

C) The reason the medication order was given verbally, rather than after personal examination of the recipient.

~~4)~~ 5) Whenever medication is administered pursuant to a verbal order, the registered or licensed practical nurse who administers the drug shall immediately enter in the recipient's medical record a detailed description of the recipient's behavior prior to the administration of the drug and of the circumstances which in his~~/~~ or her opinion required the administration.

6) The physician shall advise the recipient, in writing, of the side effects of the medication to the extent such advice is consistent with the nature and frequency of the side effects and the recipient's ability to understand the information communicated. Any recipient shall be advised, in writing, of his or her right to refuse such services pursuant to Section 2-102 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1989, ch. 91½, par. 2-102). The physician, at his or her discretion, may use pre-printed descriptions of side effects. The amount and type of information regarding the nature and frequency of side effects of psychotropic medications provided to the recipient shall be consistent with the ability of the recipient to understand the information as determined by the physician.

~~5)~~ 7) Psychotropic drugs shall be prescribed for specific doses and time, not to exceed 30 calendar days.

b) Ongoing monitoring of drug treatment

1) The attending physician shall review as often as the recipient's clinical condition warrants, but no less often than ~~once per month~~ every 30 calendar days, through personal examination of the recipient~~,~~ ~~and/or~~ or the recipient's medical record, ~~and/or~~ or staff conferences, the results of medication administered including both beneficial effects and side effects.

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2) The attending physician shall document the status of the recipient's condition in the recipient's medical record as often as the recipient's clinical condition warrants, but no less often than ~~once per month~~ every 30 calendar days. Documentation of the rationale for the dose of medication shall be included in the progress notes ~~and/or~~ or the treatment or habilitation plans no less often than ~~once per month~~ every 30 calendar days. Significant side effects, that is, those side effects of medications determined by a licensed physician, when exercising his~~/~~ or her professional clinical judgment, to be severe, dangerous, ~~and/or~~ or annoying for the recipient, (or their absence) shall be noted in the recipient's medical record.

3) Facility staff shall document in the recipient's medical record additional medical, psychiatric, psychological, and social history and psychiatric, psychological and physical findings and laboratory results as this information becomes available.

4) Whenever a recipient has received psychotropic medication continuously or on a regular basis for 90 calendar days, and if medication is continued, every 180 calendar days thereafter, for so long as the medication shall continue, the facility director shall convene a committee to review the medication treatment. (Section 2-107.2 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1990 Supp., ch. 91½. par. 2-107.2)).

A) The committee shall consist of at least three individuals, who shall represent at least two different professional clinical disciplines trained and equipped to deal with the recipient's treatment needs (for mentally ill recipients), habilitation needs (for recipients with developmental disabilities) or both types of needs for those recipients dually diagnosed. Clinical disciplines include psychiatry, psychology, medicine, nursing, and social work. At least one committee member shall be a physician with expertise in the use of psychotropic medications (e.g., psychiatrist, behavioral neurologist). No member of the committee shall have been directly involved with the treatment of the recipient whose care is being reviewed.

B) The committee shall use whatever information it deems necessary to reach a decision concerning the suitability of continuing treatment with psychotropic

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medication, including reviewing the recipient's medical records, meeting with the treatment team and discussing the matter with the recipient, his or her guardian or parent. The recipient, and his or her guardian (if the recipient is under guardianship) or parent (if the recipient is a minor) shall be invited to discuss the recipient's need and desire for continued medication with the committee. If the recipient is an adult not under guardianship and a clinical assessment of the recipient's intellectual and emotional capabilities puts in doubt the recipient's ability to give informed consent to medication, in accordance with Section 112.30(d), the facility shall make timely efforts to obtain guardianship of the person.

C) If, during the course of the review, the recipient advises the committee that he or she no longer agrees to continue receiving the medication, the medication shall be discontinued. If the recipient agrees to the medication, medication shall be continued if the committee determines that the recipient is receiving appropriate medication and that the benefit to the recipient outweighs any risk of harm to the recipient. (Section 2-107.2 of the Mental Health and Developmental Disabilities Code)

D) If the committee unanimously agrees, medication shall be continued. If the committee's decision to continue medication is not unanimous, the facility director or the Associate Director for Clinical Services (if the facility director was involved in the treatment or the committee) shall review the case and make a determination based on the criteria in subsection (c).

E) The participation of the recipient and guardian or parent and the decision of the committee shall be recorded in the recipient's medical record.

F) The recipient's response to medication shall be monitored and shall be evaluated by the committee using the procedure in this Section no less than every 180 calendar days.

c) Court-ordered administration of psychotropic medication

Psychotropic medication may be administered to a recipient against his or her will under the following standards and procedures: (Section 2-107.1 of the Mental Health and Developmental

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Disabilities Code (added by P.A. 86-124, effective August 13, 1991)).

1) Any person 18 years of age or older, including any guardian, may petition the circuit court for an order authorizing the administration of psychotropic medication to a recipient.

2) The court shall hold a hearing within 30 calendar days of the filing of the petition.

3) Unless otherwise provided herein, the procedures set forth in Article VIII of Chapter 3 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1989, ch. 91½, par. 3-100 et seq.), including the provisions regarding appointment of counsel, shall govern hearings held under this Section.

4) Psychotropic medication shall not be administered to the recipient unless it has been determined by clear and convincing evidence that all of the following factors are present:

A) That the recipient has a serious mental illness or developmental disability.

B) That because of said mental illness or developmental disability, the recipient exhibits deterioration of his ability to function, suffering, or threatening or disruptive behavior.

C) That the illness or disability has existed for a period marked by the continuing presence of the symptoms set forth in subsection (B) above or the repeated episodic occurrence of these symptoms.

D) That the benefits of the psychotropic medication will outweigh the harm.

E) That the recipient lacks the capacity to make a reasoned decision about the medication.

F) That other less restrictive services have been explored and found inappropriate.

5) In no event shall a court order be effective for more than 90 calendar days. However, psychotropic medication may be administered for additional 90-day periods without limitation

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under hearings that comply with the above standards and procedures of this Section.

6) The court order shall designate the persons authorized to administer the psychotropic medication under this subsection.

7) A guardian shall only be authorized to consent to the administration of psychotropic medication under this subsection.

8) Nothing in this subsection shall prevent the administration of psychotropic medication to recipients in an emergency under subsection (a) of this Section.

~~e)~~ d) ~~Reduction of the risk of tardive dyskinesia~~ Restriction of use of antipsychotic drugs

1) Use of antipsychotic drugs shall be restricted to the treatment of psychotic disorders, including schizophrenic disorders, paranoid disorders, schizophreniform disorders, brief reactive psychosis, atypical psychosis, manic episode, major depressive episode with psychotic features, infantile autism and toxic or organic psychosis, Tourette's disorders, and severe behavioral disturbance in a recipient having a developmental disability. Use in any other conditions shall be specially justified in the recipient's medical record.

2) Use of antipsychotic drugs for more than six months shall be prescribed only when a continuing response can be shown, or when exacerbation occurs or has occurred upon cessation of medication.

~~3) Whenever a recipient has received antipsychotic medication continuously for three months the recipient or, if the recipient is under guardianship, the guardian, or, if the recipient is a minor, the recipient's parent or guardian, shall participate in the decision regarding continuation of the recipient's medication based on the need to balance the risk of tardive dyskinesia with the risk of continuing in, exacerbating, or developing a psychotic state, Tourette's symptoms or severe behavioral disturbance in a recipient having a developmental disability. --If the recipient is an adult not under guardianship, and a clinical assessment of the recipient's intellectual and emotional capabilities puts in doubt the recipient's ability to meaningfully participate in this decision process, timely efforts shall be undertaken to obtain guardianship. --The participation of the recipient, guardian, or parent and the decision regarding continuation~~

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~~of medication shall be recorded in the recipient's medical record. --The recipient's response to medication shall be monitored and shall be re-evaluated with the participation of the recipient, guardian or parent at no less than six month intervals, and this re-evaluation and participation shall be recorded in the recipient's medical record.~~

(Source: Amended at 16 Ill. Reg. _____, effective _____)

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1) The Heading of the Part: Definitions and General Provisions

2) Code Citation: 35 Ill. Adm. Code 211

3)

Section Number:	Proposed Action:
211.101	amend
211.122	amend

4) Statutory Authority: Illinois Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½, pars. 1010, 1027, and 1028.2.)

5) A Complete Description of the Subjects and Issues Involved: This proposal, filed with the Board by the Illinois Environmental Protection Agency (Agency), is intended to regulate particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (known as PM-10). The proposal would regulate the McCook and Lake Calumet areas of Cook County, Illinois, and the Granite City area of Madison County, Illinois. This rulemaking is required by the federal Clean Air Act Amendments of 1990. The Agency has certified that this rulemaking is a "required rule" pursuant to Section 28.2 of the Environmental Protection Act (Ill.Rev.Stat. 1989, ch. 111 1/2, par. 1028.2, as amended by P.A. 86-1409, effective January 1, 1991), and the Board has accepted that certification. The proposed amendments to Part 211 simply add several definitions and an incorporation by reference.

Additionally, the Board notes that it published notice of proposed amendments to this Part on September 20, 1991, at 15 Ill.Reg. 13627. The proposed amendments in this notice supersede that proposal. The Board will publish a notice of withdrawal of that September 20 proposal.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date?
___ Yes __X__ No

8) Does this proposed (amendment, repealer) contain incorporations by reference? Yes.

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9) Are there any other amendments pending on this Part?
Yes.

Section Number:	Proposed Action:	Ill.Reg. Citation
211.101	amend	15 Ill.Reg. 13627 (Sept. 20, 1991)
211.122	amend	15 Ill.Reg. 13627 (Sept. 20, 1991)

10) Statement of Statewide Policy Objective (if applicable)?

These proposed rules do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act (Ill.Rev.Stat. 1989, ch. 85, par. 2203(b)).

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Send written comments concerning this rulemaking within 45 days of publication in the Illinois Register to Dorothy M. Gunn, Clerk, Illinois Pollution Control Board, 100 West Randloph Street, Suite 11-500, Chicago, IL 60601. Please include the docket number of this rulemaking (R91-22) on all comments. Please send copies of all comments to:

William Denham
Dept. of Energy and
Natural Resources
325 West Adams, Room 300
Springfield, IL 62706

Julia Gentile
Illinois Environmental
Protection Agency
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276

12) Initial Regulatory Flexibility Analysis (if applicable):

A) Date rule submitted to Business Assistance Office of the Department of Commerce and Community Affairs:
August 26, 1991 and October 28, 1991.

B) Types of small businesses affected: Based upon information supplied by the Agency (the proponent of these amendments), the Board does not believe that this proposal affects small businesses.

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C) Reporting, bookkeeping or other procedures required for compliance: None.

D) Types of professional skills necessary for compliance: None.

The full text of the proposed amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 211
DEFINITIONS AND GENERAL PROVISIONS

SUBPART A: GENERAL PROVISIONS

Section
211.101 Incorporations by Reference
211.102 Abbreviations and Units

SUBPART B: DEFINITIONS

Section
211.121 Other Definitions
211.122 Definitions

211.Appendix A Rule into Section Table
211.Appendix B Section into Rule Table

AUTHORITY: Implementing Sections 9, 9.1 and 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½, pars. 1009, 1010 and 1027).

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R 89-16(A) at 14

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Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill.Reg. 15564, effective October 11, 1991; amended in R91-22 at 15 Ill.Reg. _____, effective _____.

Section 211.101 Incorporations by Reference

The following materials are incorporated by reference. These incorporations do not include any later amendments or editions.

a) "Evaporation Loss from Floating Roof Tanks," American Petroleum Institute Bulletin 2517, 1962

b) Ringelmann Chart, Information Circular 833 (Revision of 1C7718), Bureau of Mines, U.S. Department of Interior, May 1, 1967

c) Standard Industrial Classification Manual, Superintendent of Documents, Washington, D.C. 20402, 1972

d) American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103

A.S.T.M. D-86
A.S.T.M. D-240-64
A.S.T.M. D-323
A.S.T.M. D-369-69 (1971)
A.S.T.M. D-396-69
A.S.T.M. D-900-55
A.S.T.M. D-975-68
A.S.T.M. D-1826-64
A.S.T.M. D-2015-66
A.S.T.M. D-2880-71

e) 40 CFR 51.100 (1987)

(Source: Amended at 15 Ill.Reg. _____, effective _____.)

Section 211.122 Definitions

"Accelacota": a pharmaceutical coating operation which consists of a horizontally rotating perforated drum in which tablets are placed, a coating is applied by spraying and the coating is dried by the flow of air across the drum through the perforations.

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"Accumulator": The reservoir of a condensing unit receiving the condensate from a surface condenser.

"Acid Gases": For the purposes of Section 9.4 of the Environmental Protection Act (the Act) (Ill. Rev. Stat. 1989, ch. 111 ⅓, par. 1009.4), hydrogen chloride, hydrogen fluoride and hydrogen bromide, which exist as gases, liquid mist, or any combination thereof.

"Actual Heat Input": The quantity of heat produced by the combustion of fuel using the gross heating value of the fuel.

"Aeration": The practice of forcing air through bulk stored grain to maintain the condition of the grain.

"Afterburner": A device in which materials in gaseous effluents are combusted.

"Air Dried Coating": Coatings that dry by the use of air or forced air at temperatures up to 363.15° K (194° F).

"Air suspension coater/dryer": a pharmaceutical coating operation which consists of vertical chambers in which tablets or particles are placed, and a coating is applied and then dried while the tablets or particles are kept in a fluidized state by the passage of air upward through the chambers.

"Annual Grain Through-Put": Unless otherwise shown by the owner or operator, annual grain through-put for grain-handling operations, which have been in operation for three consecutive years prior to June 30, 1975, shall be determined by adding grain receipts and shipments for the three previous fiscal years and dividing the total by 6. The annual grain through-put for grain-handling operations in operation for less than three consecutive years prior to June 30, 1975, shall be determined by a reasonable three-year estimate; the owner or operator shall document the reasonableness of his three-year estimate.

"Architectural Coating": Any coating used for residential or commercial buildings or their appurtenances, or for industrial buildings which is site applied.

"Asphalt": The dark-brown to black cementitious material (solid, semisolid or liquid in consistency) of which the main constituents are bitumens which occur naturally or as a residue of petroleum refining.

"Asphalt Prime Coat": A low-viscosity liquid asphalt applied to an absorbent surface as the first of more than one asphalt coat.

"Automobile": Any first division motor vehicle as that term is defined in the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95½, pars 1-100 et seq.).

"Automobile or Light-Duty Truck Manufacturing Plant": A facility where parts are manufactured or finished for eventual inclusion into a finished automobile or light-duty truck ready for sale to vehicle dealers, but not including customizers, body shops and other repainters.

"Batch Loading": The process of loading a number of individual parts at the same time for degreasing.

"Bead-Dipping": The dipping of an assembled tire bead into a solvent-based cement.

"British Thermal Unit": The quantity of heat required to raise one pound of water from 60° F to 61° F (abbreviated btu).

"Bulk Gasoline Plant": Any gasoline storage and distribution facility that receives gasoline from bulk gasoline terminals by delivery vessels and distributes gasoline to gasoline dispensing facilities.

"Bulk Gasoline Terminal": Any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, and distributes gasoline to bulk gasoline plants or gasoline dispensing facilities.

"Can Coating": The application of a coating material to a single walled container that is manufactured from metal sheets thinner than 29 gauge (0.0141 in).

"Certified Investigation": A report signed by Illinois Environmental Protection Agency (Agency) personnel certifying whether a grain-handling operation (or portion

thereof) or grain-drying operation is causing or tending to cause air pollution. Such report must describe the signatory's investigation, including a summary of those facts on which he relies to certify whether the grain-handling or grain-drying operation is causing or threatening or allowing the discharge or emission of any contaminant into the environment so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board (Board) under the Environmental Protection Act (Act). The certified investigation shall be open to a reasonable public inspection and may be copied upon payment of the actual cost of reproducing the original.

"Choke Loading": That method of transferring grain from the grain-handling operation to any vehicle for shipment or delivery which precludes a free fall velocity of grain from a discharge spout into the receiving container.

"Cleaning and Separating Operation": That operation where foreign and undesired substances are removed from the grain.

"Clear Coating": Coatings that lack color and opacity or are transparent using the undercoat as a reflectant base or undertone color.

"Closed Purge System": A system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow inducing devices that transport liquid or vapor from a piece or pieces of equipment to a control device, or return the liquid or vapor to the process line.

"Closed Vent System": A system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow inducing devices that transport gas or vapor from a piece or pieces of equipment to a control device, or return the gas or vapor to the process line.

"Coal Refuse": Waste products of coal mining, cleaning and coal preparation operations containing coal, matrix material, clay and other organic and inorganic material.

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"Coating": For purposes of this Part, a coating includes a material applied to a substrate for decorative, protective or other functional purposes. Such material shall include but not be limited to paints, varnishes, sealers, adhesives, diluents and thinners.

"Coating Applicator": Equipment used to apply a surface coating.

"Coating Line": An operation where a surface coating is applied to a material and subsequently the coating is dried and/or cured.

"Coating Plant": Any building, structure or installation that contains a coating line and which is located on one or more contiguous or adjacent properties and which is owned or operated by the same person (or by persons under common control).

"Coil Coating": The application of a coating material to any flat metal sheet or strip that comes in rolls or coils.

"Cold Cleaning": The process of cleaning and removing soils from surfaces by spraying, brushing, flushing or immersion while maintaining the organic solvent below its boiling point. Wipe cleaning is not included in this definition.

"Complete Combustion": A process in which all carbon contained in a fuel or gas stream is converted to carbon dioxide.

"Component": Any piece of equipment which has the potential to leak volatile organic material including, but not limited to, pump seals, compressor seals, seal oil degassing vents, pipeline valves, pressure relief devices, process drains and open ended valves. This definition excludes valves which are not externally regulated, flanges, and equipment in heavy liquid service. For purposes of 35 Ill. Adm. Code 215.Subpart Q, this definition also excludes bleed ports of gear pumps in polymer service.

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"Concentrated Nitric Acid Manufacturing Process": Any acid producing facility manufacturing nitric acid with a concentration equal to or greater than 70 percent by weight.

"Condensate": Hydrocarbon liquid separated from its associated gasses which condenses due to changes in the temperature or pressure and remains liquid at standard conditions.

"Condensible PM-10": PM-10 formed immediately or shortly after discharge to the atmosphere, as measured by the applicable test method specified in 35 Ill. Adm. Code 212.110. Condensible particulate matter exists in gaseous and/or vapor form prior to release to the atmosphere, e.g, in the stack, and forms particulate matter upon condensation when subject to conditions of cooling and dilution in the atmosphere.

"Control Device": Equipment, such as an afterburner, adsorber, scrubber, condenser, cyclone or baghouse used to remove or prevent the emission of air pollutants from a contaminated exhaust stream. For purposes of 35 Ill. Adm. Code 215, Subpart Q, an enclosed combustion device, vapor recovery system, flare, or closed container.

"Conveyorized Degreasing": The continuous process of cleaning and removing soils from surfaces utilizing either cold or vaporized solvents.

"Crude Oil": A naturally occurring mixture which consists of hydrocarbons and sulfur, nitrogen or oxygen derivatives of hydrocarbons and which is a liquid at standard conditions.

"Crude Oil Gathering": The transportation of crude oil or condensate after custody transfer between a production facility and a reception point.

"Crushing": The fragmentation of non-metallic minerals by a machine such as a jaw, gyratory, cone, roll, rod, mill, hammermill, and impactor.

"Custody Transfer": The transfer of produced petroleum and/or condensate after processing and/or treating in the producing operations, from storage tanks or automatic

transfer facilities to pipelines or any other forms of transportation.

"Cutback Asphalt": Any asphalt which has been liquified by blending with petroleum solvents other than residual fuel oil and has not been emulsified with water.

"Degreaser": Any equipment or system used in solvent cleaning.

"Delivery Vessel": Any tank truck or trailer equipped with a storage tank that is used for the transport of gasoline to a stationary storage tank at a gasoline dispensing facility, bulk gasoline plant or bulk gasoline terminal.

"Distillate Fuel Oil": Fuel oils of grade No. 1 or 2 as specified in detailed requirements for fuel oil A.S.T.M. D-369-69 (1971).

"Dry Cleaning Facility": A facility engaged in the cleaning of fabrics using an essentially nonaqueous solvent by means of one or more solvent washes, extraction of excess solvent by spinning and drying by tumbling in an airstream. The facility includes, but is not limited to, washers, dryers, filter and purification systems, waste disposal systems, holding tanks, pumps and attendant piping and valves.

"Dump-Pit Area": Any area where grain is received at a grain-handling or grain-drying operation.

"Effective Grate Area": That area of a dump-pit grate through which air passes, or would pass, when aspirated.

"Effluent Water Separator": Any tank, box, sump or other apparatus in which any organic material floating on or entrained or contained in water entering such tank, box, sump or other apparatus is physically separated and removed from such water prior to outfall, drainage or recovery of such water.

"Emission Rate": Total quantity of any air contaminant discharge into the atmosphere in any one-hour period.

"Enclose": with respect to 35 Ill. Adm. Code 215.Subpart T, to cover any volatile organic liquid surface that is exposed to the atmosphere.

"End Sealing Compound Coat": A compound applied to can ends which functions as a gasket when the end is assembled on the can.

"Excess Air": Air supplied in addition to the theoretical quantity necessary for complete combustion of all fuel and/or combustible waste material.

"Excessive Release": A discharge of more than 295g (0.65 pounds) of mercaptans or hydrogen sulfide into the atmosphere in any five minute period.

"Existing Grain-Drying Operation": Any grain-drying operation the construction or modification of which was commenced prior to June 30, 1975.

"Existing Grain-Handling Operation": Any grain-handling operation the construction or modification of which was commenced prior to June 30, 1975.

"Exterior Base Coat": An initial coating applied to the exterior of a can after the can body has been formed.

"Exterior End Coat": A coating applied by rollers or spraying to the exterior end of a can.

"External Floating Roof": A storage vessel cover in an open top tank consisting of a double deck or pontoon single deck which is supported by the petroleum liquid being contained and is equipped with a closure seal between the deck edge and tank wall.

"Extreme Performance Coating": Coatings designed for exposure to any of the following: the ambient weather conditions, temperatures above 368.15° K (203° F), detergents, abrasive and scouring agents, solvents, corrosive atmospheres, or other similar extreme environmental conditions.

"Fabric Coating": The coating of a textile substrate including operations where the coating impregnates the substrate.

"Final Repair Coat": The repainting of any coating which is damaged during vehicle assembly.

"Firebox": The chamber or compartment of a boiler or furnace in which materials are burned, but not the combustion chamber or afterburner of an incinerator.

"Flexographic Printing": The application of words, designs and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of elastomeric materials.

"Floating Roof": A roof on a stationary tank, reservoir or other container which moves vertically upon change in volume of the stored material.

"Freeboard Height": For open top vapor degreasers, the distance from the top of the vapor zone to the top of the degreaser tank. For cold cleaning degreasers, the distance from the solvent to the top of the degreaser tank.

"Fuel Combustion Emission Source": Any furnace, boiler or similar equipment used for the primary purpose of producing heat or power by indirect heat transfer.

"Fuel Gas System": A system for collection of refinery fuel gas including, but not limited to, piping for collecting tail gas from various process units, mixing drums and controls and distribution piping.

"Fugitive Particulate Matter": Any particulate matter emitted into the atmosphere other than through a stack, provided that nothing in this definition or in 35 Ill. Adm. Code 212.Subpart K shall exempt any source from compliance with other provisions of 35 Ill. Adm. Code 212 otherwise applicable merely because of the absence of a stack.

"Gas Service": Means that the component contains process fluid that is in the gaseous state at operating conditions.

"Gasoline": Any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

"Gasoline Dispensing Facility": Any site where gasoline is transferred from a stationary storage tank to a motor vehicle gasoline tank used to provide fuel to the engine of that motor vehicle.

"Grain": The whole kernel or seed of corn, wheat, oats, soybeans and any other cereal or oil seed plant; and the normal fines, dust and foreign matter which results from harvesting, handling or conditioning. The grain shall be unaltered by grinding or processing.

"Grain-Drying Operation": Any operation, excluding aeration, by which moisture is removed from grain and which typically uses forced ventilation with the addition of heat.

"Grain-Handling and Conditioning Operation": A grain storage facility and its associate grain transfer, cleaning, drying, grinding and mixing operations.

"Grain-Handling Operation": Any operation where one or more of the following grain-related processes (other than grain-drying operation, portable grain-handling equipment, one-turn storage space, and excluding flour mills and feed mills) are performed: receiving, shipping, transferring, storing, mixing or treating of grain or other processes pursuant to normal grain operations.

"Green Tire Spraying": The spraying of green tires, both inside and outside, with release compounds which help remove air from the tire during molding and prevent the tire from sticking to the mold after curing.

"Green Tires": Assembled tires before molding and curing have occurred.

"Gross Heating Value": Amount of heat produced when a unit quantity of fuel is burned to carbon dioxide and water vapor, and the water vapor condensed as described in A.S.T.M. D-2015-66, D-900-55, D-1826-64 and D-240-64.

"Heavy Liquid": Liquid with a true vapor pressure of less than 0.3 kPa (0.04 psi) at 294.3° K (70° F) or 0.1 Reid

Vapor Pressure as determined by A.S.T.M. method D-323; or which when distilled requires a temperature of 300° F or greater to recover 10% of the liquid as determined by A.S.T.M. method D-86.

"Heavy Metals": For the purposes of Section 9.4 of the Act, elemental, ionic, or combined forms of arsenic, cadmium, mercury, chromium, nickel and lead.

"Heavy, Off-Highway Vehicle Products": For the purposes of Section 215.204(k), heavy off-highway vehicle products shall include: heavy construction, mining, farming or material handling equipment; heavy industrial engines; diesel-electric locomotives and associated power generation equipment; and the components of such equipment or engines.

"Hot Well": The reservoir of a condensing unit receiving the condensate from a barometric condenser.

"Housekeeping Practices": Those activities specifically defined in the list of housekeeping practices developed by the Joint EPA - Industry Task Force and included herein under 35 Ill. Adm. Code 212.461.

"Incinerator": Combustion apparatus in which refuse is burned.

"Indirect Heat Transfer": Transfer of heat in such a way that the source of heat does not come into direct contact with process materials.

"In-Process Tank": A container used for mixing, blending, heating, reacting, holding, crystallizing, evaporating, or cleaning operations in the manufacture of pharmaceuticals.

"In-situ Sampling Systems": Nonextractive samplers or in-line samplers.

"Interior Body Spray Coat": A coating applied by spray to the interior of a can after the can body has been formed.

"Internal Transferring Area": Areas and associated equipment used for conveying grain among the various grain operations.

"Large Appliance Coating": The application of a coating material to the component metal parts (including but not limited to doors, cases, lids, panels and interior support parts) of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners and other similar products.

"Light-Duty Truck": Any second division motor vehicle, as that term is defined in the Illinois Vehicle Code, (Ill. Rev. Stat. 1989, ch. 95½, pars. 1-100 et seq.) weighing less than 3854 kilograms (8500 pounds) gross.

"Liquid-Mounted Seal": A primary seal mounted in continuous contact with the liquid between the tank wall and the floating roof edge around the circumference of the roof.

"Liquid Service": Means that the equipment or component contains process fluid that is in a liquid state at operating conditions.

"Liquids Dripping": Any visible leaking from a seal including spraying, misting, clouding and ice formation.

"Load-Out Area": Any area where grain is transferred from the grain-handling operation to any vehicle for shipment or delivery.

"Low Solvent Coating": A coating which contains less organic solvent than the conventional coatings used by the industry. Low solvent coatings include water-borne, higher solids, electro-deposition and powder coatings.

"Magnet Wire Coating": The application of a coating of electrically insulating varnish or enamel to conducting wire to be used in electrical machinery.

"Major Dump Pit": Any dump pit with an annual grain through-put of more than 300,000 bushels, or which receives more than 40% of the annual grain through-put of the grain-handling operation.

"Major Metropolitan Area (MMA)": Any county or group of counties which is defined by the following Table:

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MAJOR METROPOLITAN AREAS IN ILLINOIS (MMA's)

MMA	COUNTIES INCLUDED IN MMA
Champaign-Urbana	Champaign
Chicago	Cook, Lake, Will, DuPage, McHenry, Kane, Grundy, Kendall, Kankakee
Decatur	Macon
Peoria	Peoria, Tazewell
Rockford	Winnebago
Rock Island -- Moline	Rock Island
Springfield	Sangamon
St. Louis (Illinois)	St. Clair, Madison
Bloomington -- Normal	McLean

"Major Population Area (MPA)": Areas of major population concentration in Illinois, as described below:

The area within the counties of Cook; Lake; DuPage; Will; the townships of Burton, Richmond, McHenry, Greenwood, Nunda, Door, Algonquin, Grafton and the municipality of Woodstock, plus a zone extending two miles beyond the boundary of said municipality located in McHenry County; the townships of Dundee, Rutland, Elgin, Plano, St. Charles, Campton, Geneva, Blackberry, Batavia, Sugar Creek and Aurora located in Kane County; and the municipalities of Kankakee, Bradley and Bourbonnais, plus a zone extending two miles beyond the boundaries of said municipalities in Kankakee County.

The area within the municipalities of Rockford and Loves Park, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Rock Island, Moline, East Moline, Carbon Cliff, Milan, Oak Grove, Silvis, Hampton, Greenwood and Coal Valley, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Galesburg and East Galesburg, plus a zone extending two miles beyond the boundaries of said municipalities.

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The area within the municipalities of Bartonville, Peoria and Peoria Heights, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Pekin, North Pekin, Marquette Heights, Creve Coeur and East Peoria, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Bloomington and Normal, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Champaign, Urbana and Savoy, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Decatur, Mt. Zion, Harristown and Forsyth, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Springfield, Leland Grove, Jerome, Southern View, Grandview, Sherman and Chatham, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the townships of Godfrey, Foster, Wood River, Fort Russell, Chouteau, Edwardsville, Venice, Nameoki, Alton, Granite City and Collinsville located in Madison County; and the townships of Stites, Canteen, Centreville, Caseyville, St. Clair, Sugar Loaf and Stookey located in St. Clair County.

"Manufacturing Process": A process emission source or series of process emission sources used to convert raw materials, feed stocks, subassemblies or other components into a product, either for sale or for use as a component in a subsequent manufacturing process.

"Marine Terminal": A facility primarily engaged in loading and unloading watercraft.

"Metal Furniture Coating": The application of a coating material to any furniture piece made of metal or any metal part which is or will be assembled with other metal, wood,

fabric, plastic or glass parts to form a furniture piece including, but not limited to, tables, chairs, wastebaskets, beds, desks, lockers, benches, shelving, file cabinets, lamps and room dividers. This definition shall not apply to any coating line coating metal parts or products that is identified under the Standard Industrial Classification Code for Major Groups 33, 34, 35, 36, 37, 38, 39, 40 or 41.

"Miscellaneous Fabricated Product Manufacturing Process":

A manufacturing process involving one or more of the following applications, including any drying and curing of formulations, and capable of emitting volatile organic material:

Adhesives to fabricate or assemble non-furniture components or products

Asphalt solutions to paper or fiberboard

Asphalt to paper or felt

Coatings or dye to leather

Coatings to plastic

Coatings to rubber or glass

Curing of furniture adhesives in an oven which would emit in excess of 10 tons of volatile organic material per year if no air pollution control equipment were used

Disinfectant material to manufactured items

Plastic foam scrap or "fluff" from the manufacture of foam containers and packaging material to form resin pellets

Resin solutions to fiber substances

Rubber solutions to molds

Viscose solutions for food casings

The storage and handling of formulations associated with the process described above.

The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

"Miscellaneous Formulation Manufacturing Process":

A manufacturing process which compounds one or more of the following and is capable of emitting volatile organic material:

Adhesives

Asphalt solutions

Caulks, sealants or waterproofing agents

Coatings, other than paint and ink

Concrete curing compounds

Dyes

Friction materials and compounds

Resin solutions

Rubber solutions

Viscose solutions

The storage and handling of formulations associated with the process described above.

The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

"Miscellaneous Metal Parts and Products": For the purpose of 35 Ill. Adm. Code 215.204, miscellaneous metal parts and products shall include farm machinery, garden machinery, small appliances, commercial machinery, industrial machinery, fabricated metal products and any other industrial category which coats metal parts or

products under the Standard Industrial Classification Code for Major Groups 33, 34, 35, 36, 37, 38 or 39 with the exception of the following: coating lines subject to 35 Ill. Adm. Code 215.204(a) through (i) and (k), automobile or light-duty truck refinishing, the exterior of marine vessels and the customized top coating of automobiles and trucks if production is less than thirty-five vehicles per day.

"Miscellaneous Organic Chemical Manufacturing Process":

A manufacturing process which produces by chemical reaction, one or more of the following organic compounds or mixtures of organic compounds and which is capable of emitting volatile organic materials:

Chemicals listed in 35 Ill. Adm. Code 215. Appendix D.

Chlorinated and sulfonated compounds

Cosmetic, detergent, soap or surfactant intermediaries or specialties and products

Disinfectants

Food additives

Oil and petroleum product additives

Plasticizers

Resins or polymers

Rubber additives

Sweeteners

Varnishes

The storage and handling of formulations associated with the process described above.

The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

"Mixing Operation": The operation of combining two or more ingredients, of which at least one is a grain.

"New Grain-Drying Operation": Any grain-drying operation the construction or modification of which is commenced on or after June 30, 1975.

"New Grain-Handling Operation": Any grain-handling operation the construction of modification of which is commenced on or after June 30, 1975.

"No Detectable Volatile Organic Material Emissions": A discharge of volatile organic material into the atmosphere as indicated by an instrument reading of less than 500 ppm above background as determined in accordance with 40 CFR 60.485(c).

"One Hundred Percent Acid": Acid with a specific gravity of 1.8205 at 30° C in the case of sulfuric acid and 1.4952 at 30° C in the case of nitric acid.

"One-Turn Storage Space": That space used to store grain with a total annual through-put not in excess of the total bushel storage of that space.

"Opacity": A condition which renders material partially or wholly impervious to transmittance of light and causes obstruction of an observer's view. For the purposes of these regulations, the following equivalence between opacity and Ringelmann shall be employed:

Opacity Percent	Ringelmann
10	0.5
20	1.
30	1.5
40	2.
60	3.
80	4.
100	5.

"Open Top Vapor Degreasing": The batch process of cleaning and removing soils from surfaces by condensing hot solvent vapor on the colder metal parts.

"Operator of Gasoline Dispensing Facility": Any person who is the lessee of or operates, controls or supervises a gasoline dispensing facility.

"Organic Compound": Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metal carbides or carbonates, and ammonium carbonate.

"Organic Material": Any chemical compound of carbon including diluents and thinners which are liquids at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents, but excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbonic acid, metallic carbide, metallic carbonates and ammonium carbonate.

"Organic Materials": For the purposes of Section 9.4 of the Act, any chemical compound of, carbon including diluents and thinners which are liquids at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents, and polychlorinated dibenzo-p-dioxins, polychlorinated dibenzofurans and polynuclear aromatic hydrocarbons are organic materials, while methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbonic acid, metallic carbide, metallic carbonates and ammoniun carbonate are organic materials.

"Organic Vapor": Gaseous phase of an organic material or a mixture of organic materials present in the atmosphere.

"Overvarnish": A coating applied directly over ink or printing.

"Owner of Gasoline Dispensing Facility": Any person who has legal or equitable title to a stationary storage tank at a gasoline dispensing facility.

"Packaging Rotogravure Printing": Rotogravure printing upon paper, paper board, metal foil, plastic film and other substrates, which are, in subsequent operations, formed into packaging products or labels for articles to be sold.

"Paint Manufacturing Plant": A plant that mixes, blends, or compounds enamels, lacquers, sealers, shellacs, stains, varnishes or pigmented surface coatings.

"Paper Coating": The application of a coating material to paper or pressure sensitive tapes, regardless of substrate, including web coating on plastic fibers and decorative coatings on metal foil.

"Particulate Matter": Any solid or liquid material, other than water, which exists in finely divided form.

"Petroleum Liquid": Crude oil, condensate or any finished or intermediate product manufactured at a petroleum refinery, but not including Number 2 through Number 6 fuel oils as specified in A.S.T.M. D-396-69, gas turbine fuel oils Numbers 2-GT through 4-GT as specified in A.S.T.M. D-2880-71 or diesel fuel oils Numbers 2-D and 4-D, as specified in A.S.T.M. D-975-68.

"Petroleum Refinery": Any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation, cracking, extraction or reforming of unfinished petroleum derivatives.

"Pharmaceutical": Any compound or mixture, other than food, used in the prevention, diagnosis, alleviation, treatment or cure of disease in man and animal.

"Pharmaceutical Coating Operation": a device in which a coating is applied to a pharmaceutical, including any drying or curing of the coating.

"Photochemically Reactive Material": Any organic material with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or the composition of which exceeds any of the following individual percentage composition limitations. Whenever any photochemically reactive material or any constituent of any organic material may be classified from its chemical structure into more than one of the above groups of organic materials it shall be considered as a member of the most reactive group, that is, the group having the least allowable percent of the total organic materials.

A combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones having an olefinic or cyclo-olefinic types of unsaturation: 5 percent.

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This definition does not apply to perchlorethylene or trichloroethylene.

A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent.

A combination of ethylbenzene, ketones having branched hydrocarbon structures or toluene: 20 percent.

"Plant": all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control), except the activities of any marine vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two-digit code) as described in the "Standard Industrial Classification Manual", 1987.

"PM-10": particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers, as measured by the applicable test methods specified in 35 Ill. Adm. Code 212.110. Ambient air concentrations for PM-10 are usually expressed in micrograms per cubic meter (ug/m^3).

"Pneumatic Rubber Tire Manufacture": The production of pneumatic rubber tires with a bead diameter up to but not including 20.0 inches and cross section dimension up to 12.8 inches, but not including specialty tires for antique or other vehicles when produced on equipment separate from normal production lines for passenger or truck type tires.

"Polybasic Organic Acid Partial Oxidation Manufacturing Process": Any process involving partial oxidation of hydrocarbons with air to manufacture polybasic acids or their anhydrides, such as maleic anhydride, phthalic anhydride, terephthalic acid, isophthalic acid, trimelletic anhydride.

"Portable Grain-Handling Equipment": Any equipment (excluding portable grain dryers) that is designed and maintained to be movable primarily for use in a non-

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continuous operation for loading and unloading one-turn storage space, and is not physically connected to the grain elevator, provided that the manufacturer's rated capacity of the equipment does not exceed 10,000 bushels per hour.

"Portland Cement Manufacturing Process Emission Source": any items of process equipment or manufacturing processes used in or associated with the production of portland cement, including, but not limited to, a kiln, clinker cooler, raw mill system, finish mill system, raw material dryer, material storage bin or system, material conveyor belt or other transfer system, material conveyor belt transfer point, bagging operation, bulk unloading station, or bulk loading station.

"Portland Cement Process" or "Portland Cement Manufacturing Plant": Any facility or plant manufacturing portland cement by either the wet or dry process.

"Power Driven Fastener Coating": The coating of nail, staple, brad and finish nail fasteners where such fasteners are fabricated from wire or rod of 0.0254 inch diameter or greater, where such fasteners are bonded into coils or strips, such coils and strips containing a number of such fasteners, which fasteners are manufactured for use in power tools, and which fasteners must conform with formal standards for specific uses established by various federal and national organizations including Federal Specification FF-N-105b of the General Services Administration dated August 23, 1977 (does not include any later amendments or editions; U.S. Army Armament Research and Development Command, Attn: DRDAR-TST, Rock Island, IL 61201), Bulletin UM-25d of the U.S. Department of Housing and Urban Development - Federal Housing Administration dated September 5, 1973 (does not include any later amendments or editions; Department of HUD, 547 W. Jackson Blvd., Room 1005, Chicago, IL 60606), and the Model Building Code of the Council of American Building Officials, and similar standards. For the purposes of this definition, the terms "brad" and "finish nail" refer to single leg fasteners fabricated in the same manner as staples. The application of coatings to staple, brad, and finish nail fasteners may be associated with the incremental forming of such fasteners in a cyclic or repetitious manner (incremental fabrication) or with the

forming of strips of such fasteners as a unit from a band of wires (unit fabrication).

"PPM (Vol) - (Parts per Million) (Volume)": A volume/volume ratio which expresses the volumetric concentration of gaseous air contaminant in a million unit volumes of gas.

"Pressure Release": The emission of materials resulting from system pressure being greater than set pressure of the pressure relief device.

"Pressure Tank": A tank in which fluids are stored at a pressure greater than atmospheric pressure.

"Prime Coat": The first film of coating material applied in a multiple coat operation.

"Prime Surfacer Coat": A film of coating material that touches up areas on the surface not adequately covered by the prime coat before application of the top coat.

"Process": Any stationary emission source other than a fuel combustion emission source or an incinerator.

"Process Unit": Components assembled to produce, as intermediate or final products, one or more of the chemicals listed in 35 Ill. Adm. Code 215.Appendix D. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

"Process Unit Shutdown": A work practice or operational procedure that stops production from a process unit or part of a process unit. An unscheduled work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours is not a process unit shutdown. The use of spare components and technically feasible bypassing of components without stopping production is not a process unit shutdown.

"Process Weight Rate": The actual weight or engineering approximation thereof of all materials except liquid and gaseous fuels and combustion air, introduced into any process per hour. For a cyclical or batch operation, the process weight rate shall be determined by dividing such

actual weight or engineering approximation thereof by the number of hours of operation excluding any time during which the equipment is idle. For continuous processes, the process weight rate shall be determined by dividing such actual weight or engineering approximation thereof by the number of hours in one complete operation, excluding any time during which the equipment is idle.

"Production Equipment Exhaust System": A system for collecting and directing into the atmosphere emissions of volatile organic material from reactors, centrifuges and other process emission sources.

"Publication Rotogravure Printing": Rotogravure printing upon paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements or other types of non-packaging printed materials.

"Purged Process Fluid": Liquid or vapor from a process unit that contains volatile organic material and that results from flushing or cleaning the sample line(s) of a process unit so that an uncontaminated sample may then be taken for testing or analysis.

"Reactor": A vat, vessel or other device in which chemical reactions take place.

"Reasonably Available Control Technology (RACT)": The lowest emission limitation that an emission source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

"Refinery Fuel Gas": Any gas which is generated by a petroleum refinery process unit and which is combusted at the refinery, including any gaseous mixture of natural gas and fuel gas.

"Refinery Unit, Process Unit or Unit": A set of components which are a part of a basic process operation such as distillation, hydrotreating, cracking or reforming of hydrocarbons.

"Refrigerated Condenser": a surface condenser in which the coolant supplied to the condenser has been cooled by a

mechanical device, other than by a cooling tower or evaporative spray cooling, such as a refrigeration unit or steam chiller unit.

"Residual Fuel Oil": Fuel oils of grade No. 4, 5 and 6 as specified in detailed requirements for fuel oils A.S.T.M. D-396-69 (1971).

"Restricted Area": The area within the boundaries of any "municipality" as defined in the Illinois Municipal Code (ch. 24, par. 1-1-1 et seq.), plus a zone extending one mile beyond the boundaries of any such municipality having a population of 1000 or more according to the latest federal census.

"Ringelmann Chart": The chart published and described in the Bureau of Mines, U.S. Department of Interior, Information Circular 8333 (Revision of IC7718) May 1, 1967, or any adaptation thereof which has been approved by the Agency.

"Roadway": Any street, highway, road, alley, sidewalk, parking lot, airport, rail bed or terminal, bikeway, pedestrian mall or other structure used for transportation purposes.

"Roll Printing": The application of words, designs and pictures to a substrate usually by means of a series of hard rubber or metal rolls each with only partial coverage.

"Rotogravure Printing": The application of words, designs and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is recessed relative to the non-image area.

"Safety Relief Valve": A valve which is normally closed and which is designed to open in order to relieve excessive pressures within a vessel or pipe.

"Sandblasting": The use of a mixture of sand and air at high pressures for cleaning or polishing any type of surface.

"Sensor": A device that measures a physical quantity or the change in a physical quantity such as temperature, pressure, flow rate, pH, or liquid level.

"Set of Safety Relief Valves": One or more safety relief valves designed to open in order to relieve excessive pressures in the same vessel or pipe.

"Screening": Separating material according to size by pressing undersized material through one or more mesh surfaces (screens) in series, and retaining oversized material on the mesh surfaces (screens).

"Sheet Basecoat": A coating applied to metal when the metal is in sheet form to serve as either the exterior or interior of a can for either two-piece or three-piece cans.

"Shotblasting": The use of a mixture of any metallic or non-metallic substance and air at high pressures for cleaning or polishing any type of surface.

"Side-Seam Spray Coat": A coating applied to the seam of a three-piece can.

"Smoke": Small gas-borne particles resulting from incomplete combustion, consisting predominately but not exclusively of carbon, ash and other combustible material, that form a visible plume in the air.

"Smokeless Flare": A combustion unit and the stack to which it is affixed in which organic material achieves combustion by burning in the atmosphere such that the smoke or other particulate matter emitted to the atmosphere from such combustion does not have an appearance density or shade darker that No. 1 of the Ringlemann Chart.

"Solvent Cleaning": The process of cleaning soils from surfaces by cold cleaning, open top vapor degreasing or conveyorized degreasing.

"Specialty High Gloss Catalyzed Coating": Commercial contract finishing of material prepared for printers and lithographers where the finishing process uses a solvent-borne coating, formulated with a catalyst, in a quantity

of no more than 12,000 gallons/year as supplied, where the coating machines are sheet fed and the coated sheets are brought to a minimum surface temperature of 190° F, and where the coated sheets are to achieve the minimum specular reflectance index of 65 measured at a 60 degree angle with a gloss meter.

"Splash Loading": A method of loading a tank, railroad tank car, tank truck or trailer by use of other than a submerged loading pipe.

"Stack": A flue or conduit, free-standing or with exhaust port above the roof of the building on which it is mounted, by which air contaminants are emitted into the atmosphere.

"Standard Conditions": A temperature of 70° F and a pressure of 14.7 pounds per square inch absolute (psia).

"Standard Cubic Foot (scf)": The volume of one cubic foot of gas at standard conditions.

"Startup": The setting in operation of an emission source for any purpose.

"Stationary Emission Source": An emission source which is not self-propelled.

"Stationary Storage Tank": Any container of liquid or gas which is designed and constructed to remain at one site.

"Submerged Loading Pipe": Any loading pipe the discharge opening of which is entirely submerged when the liquid level is 6 inches above the bottom of the tank. When applied to a tank which is loaded from the side, any loading pipe the discharge of which is entirely submerged when the liquid level is 18 inches or two times the loading pipe diameter, whichever is greater, above the bottom of the tank. The definition shall also apply to any loading pipe which is continuously submerged during loading operations.

"Sulfuric Acid Mist": Sulfuric acid mist as measured according to the method specified in 35 Ill. Adm. Code 214.101(b).

"Surface Condenser": A device which removes a substance from a gas stream by reducing the temperature of the stream, without direct contact between the coolant and the stream.

"Synthetic Organic Chemical or Polymer Manufacturing Plant": A plant that produces, as intermediates or final products, one or more of the chemicals or polymers listed in 35 Ill. Adm. Code 215.Appendix D.

"Tablet Coating Operation": A pharmaceutical coating operation in which tablets are coated.

"Top Coat": A film of coating material applied in a multiple coat operation other than the prime coat, final repair coat or prime surfacer coat.

"Transfer Efficiency": ratio of the amount of coating solids deposited onto a part or product to the total amount of coating solids used.

"Tread End Cementing": The application of a solvent-based cement to the tire tread ends.

"True Vapor Pressure": The equilibrium partial pressure exerted by a petroleum liquid as determined in accordance with methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss From Floating Roof Tanks" (1962).

"Turnaround": The procedure of shutting down an operating refinery unit, emptying gaseous and liquid contents to do inspection, maintenance and repair work, and putting the unit back into production.

"Undertread Cementing": The application of a solvent-based cement to the underside of a tire tread.

"Unregulated Safety Relief Valve": A safety relief valve which cannot be actuated by a means other than high pressure in the pipe or vessel which it protects.

"Vacuum Producing System": Any reciprocating, rotary or centrifugal blower or compressor, or any jet ejector or device that creates suction from a pressure below atmospheric and discharges against a greater pressure.

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"Valves Not Externally Regulated": Valves that have no external controls, such as in-line check valves.

"Vapor Balance System": Any combination of pipes or hoses which creates a closed system between the vapor spaces of an unloading tank and a receiving tank such that vapors displaced from the receiving tank are transferred to the tank being unloaded.

"Vapor Collection System": All piping, seals, hoses, connections, pressure-vacuum vents, and other possible sources between the gasoline delivery vessel and the vapor processing unit or the storage tanks and vapor holder.

"Vapor Control System": Any system that prevents release to the atmosphere of organic material in the vapors displaced from a tank during the transfer of gasoline.

"Vapor-Mounted Primary Seal": A primary seal mounted with an air space bounded by the bottom of the primary seal, the tank wall, the liquid surface and the floating roof.

"Vinyl Coating": The application of a topcoat or printing to vinyl coated fabric or vinyl sheets; provided, however, that the application of an organosol or plastisol is not vinyl coating.

"Volatile Organic Liquid": Any liquid which contains volatile organic material.

"Volatile Organic Material":

Any organic compound which participates in atmospheric photochemical reactions unless specifically exempted from this definition. Volatile organic material emissions shall be measured by the reference methods specified under 40 CFR 60, Appendix A (1986) (no future amendments or editions are included), or, if no reference method is applicable, may be determined by mass balance calculations.

For purposes of this definition, the following are not volatile organic materials:

Chlorodifluoroethane (HCFC-142b)

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Chlorodifluoromethane (CFC-22)
Chloropentafluoroethane (CFC-115)
2-Chloro-1,1,1,2-tetrafluoroethane (HCFC-124)
Dichlorodifluoromethane (CFC-12)
Dichlorofluoroethane (HCFC-141b)
Dichloromethane (Methylene chloride)
Dichlorotetrafluoroethane (CFC-114)
Dichlorotrifluoroethane (HCFC-123)
1,1-Difluoroethane (HFC-152a)
Ethane
Methane
Pentafluoroethane (HFC-125)
Tetrafluoroethane (HFC-134a)
1,1,2,2-Tetrafluoroethane (HFC-134)
Trichloroethane (Methyl chloroform)
Trichlorofluoromethane (CFC-11)
Trichlorotrifluoroethane (CFC-113)
1,1,1-Trifluoroethane (HFC-143a)
Trifluoromethane (FC-23)

and the following classes of compounds:

Cyclic, branched, or linear, completely fluorinated alkanes.

Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations.

Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations.

Sulphur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

BOARD NOTE: USEPA or the Agency may require monitoring to demonstrate the amount of an exempted compound in a source's emissions on a case-by-case basis as a pre-condition to exemption of that compound under certain circumstances, such as where VOMs and exempted compounds are mixed together, there are a large number of exempted compounds, or the chemical composition of the exempted compounds is

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not known. See 35 Ill. Adm. Code 215.108; 56 Fed.Reg. 11419-20.

"Volatile Organic Material Content" or "VOMC": the emissions of volatile organic material which would result from the exposure of a coating, printing ink, fountain solution, tire spray, dry cleaning waste or other similar material to the air, including any drying or curing, in the absence of any control equipment. VOMC is typically expressed as kilogram (kg) VOM/liter (lb VOM/gallon) of coating or coating solids, or kg VOM/kg (lb VOM/lb) of coating solids, of coating material or material.

"Volatile Petroleum Liquid": Any petroleum liquid with a true vapor pressure that is greater than 1.5 psia (78 millimeters of mercury) at standard conditions.

"Wastewater (Oil/Water) Separator": Any device or piece of equipment which utilizes the difference in density between oil and water to remove oil and associated chemicals of water, or any device, such as a flocculation tank or a clarifier, which removes petroleum derived compounds from waste water.

"Weak Nitric Acid Manufacturing Process": Any acid producing facility manufacturing nitric acid with a concentration of less than 70 percent by weight.

"Woodworking": The shaping, sawing, grinding, smoothing, polishing and making into products of any form or shape of wood.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

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1) Heading of the Part: IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

2) Code Citation: 35 Ill. Adm. Code 721

3) Section Numbers: Proposed Action:

721.131 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111½, pars. 1022.4 and 1027.

5) A Complete Description of the Subjects and Issues Involved:

The Board adopted a Proposed Opinion and Order in this matter, R91-26, on October 24, 1991. A copy of the Proposed Opinion is available from the address below.

Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½. par. 1022.4(a)) requires the Board to adopt regulations which are "identical in substance" to regulations adopted by USEPA to implement Sections 3001 through 3005 of the Resource Conservation and Recovery Act. The USEPA regulations, which deal with hazardous waste, are found at 40 CFR 260 through 270. The equivalent Board regulations are in 35 Ill. Adm. Code 702, 703, 705 and 720 through 728.

The term "identical in substance" is defined in Section 7.2 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½. par. 1007.2). Section 22.4(a) of the Act provides that Section 5 of the Administrative Procedure Act does not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

On August 8, 1991, the Board entered a final Opinion and Order in R91-1. Among other things, the Board adopted new regulations governing wood preservers. The rules appeared at 15 Ill. Reg. 14473, effective September 30, 1991.

These rules were derived from USEPA regulations adopted at 55 Fed. Reg. 50450, December 6, 1990. USEPA published a stay of the wood preserving rules at 56 Fed Reg. 27332, June 13, 1991. The Board addressed the stay in R91-1, even though it was outside the normal batch period for the Docket. The Board adopted the USEPA wood preserving rules, along with USEPA's language staying the rules.

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To qualify for the USEPA stay, wood preservers had to notify USEPA by August 6, 1991, that they intended to upgrade drip pads by placing an impermeable coating on the surface. Wood preservers also have to notify USEPA by November 6, 1991, with a plan and financial commitments for the upgrading, which must be completed by February 6, 1992.

This Docket concerns only the non-HSWA portions of the wood preserving rules. The non-HSWA requirements have no effect in authorized states, such as Illinois, until they are adopted by the states. As was discussed on p. 13 of the R91-1 Opinion, USEPA and wood preservers subject only to the non-HSWA portions of the USEPA rules may have been operating on the assumption that Illinois would not adopt the USEPA rules, because of the USEPA stay and anticipated modification of its rules. In that the Board's action might have caused confusion, the Board extended the initial notification date, from August 6 to November 6, 1991, to qualify for the stay from the Board rules.

Since the R91-1 rules were filed, the Board has received several calls from wood preservers claiming that the coating operation requires outdoor temperatures in excess of 70° F. It is therefore physically impossible to comply with the conditions of the stay by preparing a plan and carrying out the coating operation before February 6, at least in Illinois.

USEPA has stayed these requirements and apparently does not expect the States to adopt them at all until after the rules have been modified in a subsequent rulemaking. In any event, 40 CFR 271.21(e) would not require State action on the non-HSWA components until July 1, 1992. The Board is therefore proposing to extend the compliance date to July 1, 1992. The Board will also extend the date for the plan and financial committments to February 6, 1992, to give wood preservers time to file the plan and financial committments after these rules become effective.

The Board will therefore propose to amend the "stay" language in the Board Notes following listings F034 and F035 in Section 721.131, as is set forth below. It is apparently not necessary to amend the operative language in Section 724.673 and 725.543. The stay of F032 is HSWA-driven, and apparently cannot be extended.

6) Will these proposed amendments replace an emergency rule currently in effect? No.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

7) Does this rulemaking contain an automatic repeal date?: No.

8) Does this proposed amendment contain incorporations by reference? No.

9) Are there any other proposed amendments pending on this Part? Yes, in R91-12, USX:

Section Numbers	Proposed Action	Illinois Register Citation
721.App I	Amendment	June 28, 1991; 15 Ill. Reg. 9288

10) Statement of Statewide Policy Objectives:

This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act, and by the federal Resource Conservation and Recovery Act. The statewide policy objectives are set forth in Section 20 of the Environmental Protection Act. This rulemaking imposes no mandates on units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R91-26 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: October 25, 1991.

B) Types of small businesses affected:

The proposed amendments affect wood preservers.

C) Reporting, bookkeeping or other procedures required for compliance:

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The proposed amendments extend the time in which certain wood preservers can prepare a plan and conduct upgrading of drip pads.

D) Types of professional skills required for compliance:

Compliance with the proposed amendments may require the services of an attorney and registered professional engineer.

The full text of the Proposed Amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 721
IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A: GENERAL PROVISIONS

Section
721.101 Purpose and Scope
721.102 Definition of Solid Waste
721.103 Definition of Hazardous Waste
721.104 Exclusions
721.105 Special Requirements for Hazardous Waste Generated by Small Quantity Generators
721.106 Requirements for Recyclable Materials
721.107 Residues of Hazardous Waste in Empty Containers
721.108 PCB Wastes Regulated under TSCA

SUBPART B: CRITERIA FOR IDENTIFYING THE CHARACTERISTICS OF HAZARDOUS WASTE AND FOR LISTING HAZARDOUS WASTES

Section
721.110 Criteria for Identifying the Characteristics of Hazardous Waste
721.111 Criteria for Listing Hazardous Waste

SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE

Section
721.120 General
721.121 Characteristic of Ignitability
721.122 Characteristic of Corrosivity
721.123 Characteristic of Reactivity
721.124 Toxicity Characteristic

SUBPART D: LISTS OF HAZARDOUS WASTE

Section
721.130 General
721.131 Hazardous Wastes From Nonspecific Sources
721.132 Hazardous Waste from Specific Sources
721.133 Discarded Commercial Chemical Products, Off-Specification Species, Container Residues and Spill Residues Thereof
721.135 Wood Preserving Wastes

Appendix A Representative Sampling Methods
Appendix B Method 1311 Toxicity Characteristic Leaching Procedure (TCLP)
Appendix C Chemical Analysis Test Methods

Table A	Analytical Characteristics of Organic Chemicals (Repealed)
Table B	Analytical Characteristics of Inorganic Species (Repealed)
Table C	Sample Preparation/Sample Introduction Techniques (Repealed)
Appendix G	Basis for Listing Hazardous Wastes
Appendix H	Hazardous Constituents
Appendix I	Wastes Excluded under Section 720.120 and 720.122
Table A	Wastes Excluded from Non-Specific Sources
Table B	Wastes Excluded from Specific Sources
Table C	Wastes Excluded From Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof
Appendix J	Method of Analysis for Chlorinated Dibenzo-p-Dioxins and Dibenzofurans
Appendix Z	Table to Section 721.102

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½, pars. 1022.4 and 1027).

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 13999, effective October 12, 1983; amended in R84-34, 61 PCB 247, at 8 Ill. Reg. 24562, effective December 11, 1984; amended in R84-9, at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998, effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986; amended in R86-1 at 10 Ill. Reg. 14002, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20647, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg. 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2456, effective January 15, 1988; amended in R87-30 at 12 Ill. Reg. 12070, effective July 12, 1988; amended in R87-39 at 12 Ill. Reg. 13006, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 382, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18300, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14401, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16472, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7950, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9332, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14473,

effective September 30, 1991; amended in R91-26 at Ill. Reg. , effective .

SUBPART D: LISTS OF HAZARDOUS WASTE

Section 721.131 Hazardous Wastes From Nonspecific Sources

a) The following solid wastes are listed hazardous wastes from non-specific sources unless they are excluded under 35 Ill. Adm. Code 720.120 and 720.122 and listed in Appendix I.

EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
F001	The following spent halogenated solvents used in degreasing: tetrachloroethylene, trichloroethylene, methylene chloride, 1,1,1-trichloroethane, carbon tetrachloride and chlorinated fluorocarbons; all spent solvent mixtures and blends used in degreasing containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those solvents listed in F002, F004 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(T)
F002	The following spent halogenated solvents: tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, orthodichlorobenzene, trichlorofluoromethane and 1,1,2-trichloroethane; all spent solvent mixtures and blends containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those solvents listed in F001, F004 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(T)
F003	The following spent non-halogenated	(I)

	solvents: xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n-butyl alcohol, cyclohexanone and methanol; all spent solvent mixtures and blends containing, before use, only the above spent non-halogenated solvents; and all spent solvent mixtures and blends containing, before use, one or more of the above non-halogenated solvents and a total of ten percent or more (by volume) of one or more of those solvents listed in F001, F002, F004 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	
F004	The following spent non-halogenated solvents: cresols and cresylic acid and nitrobenzene; all spent solvent mixtures and blends containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(T)
F005	The following spent non-halogenated solvents: toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene, 2-ethoxyethanol and 2-nitropropane; all spent solvent mixtures and blends, containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002 or F004; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(I, T)
F006	Wastewater treatment sludges from electroplating operations except from the following processes: (1) sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning/stripping associated with tin, zinc and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum.	(T)
F019	See Below	
F007	Spent cyanide plating bath solutions from electroplating operations.	(R, T)
F008	Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process.	(R, T)
F009	Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process.	(R, T)
F010	Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process.	(R, T)
F011	Spent cyanide solutions from salt bath pot cleaning from metal heat treating operations.	(R, T)
F012	Quenching wastewater treatment sludges from metal heat treating operations where cyanides are used in the process.	(T)
F019	Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process. .	(T)
F020	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tri- or tetra-chlorophenol, or of intermediates used to produce their pesticide derivatives.	(H)

	(This listing does not include wastes from the production of hexachlorophene from highly purified 2,4,5-trichlorophenol.)	
F021	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of pentachlorophenol, or of intermediates used to produce its derivatives.	(H)
F022	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tetra-, penta- or hexachlorobenzenes under alkaline conditions.	(H)
F023	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tri- and tetrachlorophenols. (This listing does not include wastes from equipment used only for the production or use of hexachlorophene from highly purified 2,4,5- trichlorophenol.	(H)
F024	Process wastes including but not limited to, distillation residues, heavy ends, tars, and reactor cleanout wastes, from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution. (This listing does not include wastewaters, wastewater treatment	(T)

	sludges, spent catalysts and wastes listed in this Section or Section 721.132.)	
F025	Condensed light ends, spent filters and filter aids, and spent desicant wastes from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.	(T)
F026	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tetra-, penta- or hexachlorobenzene under alkaline conditions.	(H)
F027	Discarded unused formulations containing tri-, tetra- or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (This listing does not include formulations containing hexachlorophene synthesized from prepurified 2,4,5-trichlorophenol as the sole component).	(H)
F028	Residues resulting from the incineration or thermal treatment of soil contaminated with hazardous waste numbers F020, F021, F022, F023, F026 and F027.	(T)
F032	Wastewaters, process residuals, preservative drippage and spent formulations from wood preserving processes generated at plants that currently use or have previously used chlorophenolic formulations (except potentially cross-contaminated wastes that have had the F032 waste code	(T)

deleted in accordance with Section 721.135 and where the generator does not resume or initiate use of chlorophenolic formulations). This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol.

BOARD NOTE: The listing of wastewaters that have not come into contact with process contaminants is stayed administratively. The listing for plants that have previously used chlorophenolic formulations is administratively stayed whenever these wastes are covered by the F034 or F035 listings. These stays will remain in effect until further administrative action is taken. Furthermore, the F032 listing is administratively stayed with respect to the process area receiving drippage of these wastes provided persons desiring to continue operating notify USEPA by August 6, 1991, of their intent to upgrade or install drip pads, and by November 6, 1991, provide evidence to the Agency that they have adequate financing to pay for drip pad upgrades or installation, as provided in the administrative stay. The stay of listings will remain in effect until February 6, 1992, for existing drip pads, and until May 6, 1992, for new drip pads.

F034 Wastewaters, process residuals, preservative drippage and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol. (T)

BOARD NOTE: The listing of wastewaters that have not come into contact with process contaminants is stayed

administratively. These stays will remain in effect until further administrative action is taken. Furthermore, the F034 and F035 listings are administratively stayed with respect to the process area receiving drippage of these wastes provided that, by ~~November 6, 1991~~February 6, 1992, persons desiring to continue operating notify the Agency of their intent to upgrade or install drip pads, and provide evidence to the Agency that they have adequate financing to pay for drip pad upgrades or installation, as provided in the administrative stay. The stay of listings will remain in effect until ~~February 6, 1992, for existing drip pads, and until May 6, 1992, for new drip pads~~July 1, 1992.

F035 Wastewaters, process residuals, preservative drippage and spent formulations from wood preserving processes generated at plants that use inorganic preservatives containing arsenic or chromium. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol. (T)

BOARD NOTE: The listing of wastewaters that have not come into contact with process contaminants is stayed administratively. These stays will remain in effect until further administrative action is taken. Furthermore, the F034 and F035 listings are administratively stayed with respect to the process area receiving drippage of these wastes provided that, by ~~November 6, 1991~~February 6, 1992, persons desiring to continue operating notify the Agency of their intent to upgrade or install drip pads, and provide evidence to the Agency that they have adequate financing to pay for drip pad upgrades or installation, as provided in the administrative stay.

The stay of listings will remain in effect until ~~February 6, 1992, for existing drip pads, and until May 6, 1992, for new drip pads~~July 1, 1992.

F037 Petroleum refinery primary oil/water/solids separation sludge -- Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in: oil/water/solids separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated in aggressive biological treatment units as defined in subsection (b)(2) (including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units) and K051 wastes are not included in this listing. (T)

F038 Petroleum refinery secondary (emulsified) oil/water/solids separation sludge -- Any sludge or float generated from the physical or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries. Such wastes include, but are not limited to, all sludges and floats generated in: induced air floatation (IAF) units, tanks and impoundments, and all sludges generated in DAF units. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated in aggressive biological treatment units as defined in subsection (b)(2) (including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological (T)

treatment units), F037, K048 and K051 wastes are not included in this listing.

F039 Leachate resulting from the treatment, storage or disposal of wastes classified by more than one waste code under Subpart D, or from a mixture of wastes classified under Subparts C and D. (Leachate resulting from the management of one or more of the following USEPA hazardous wastes and no other hazardous wastes retains its hazardous waste code(s): F020, F021, F022, F023, F026, F027 or F028.) (T)

BOARD NOTE: The primary hazardous properties of these materials have been indicated by the letters T (Toxicity), R (Reactivity), I (Ignitability), and C (Corrosivity). The letter H indicates Acute Hazardous Waste.

b) Listing specific definitions.

1) For the purpose of the F037 and F038 listings, oil/water/solids is defined as oil or water or solids.

2) For the purposes of the F037 and F038 listings:

A) Aggressive biological treatment units are defined as units which employ one of the following four treatment methods: activated sludge; trickling filter; rotating biological contactor for the continuous accelerated biological oxidation of wastewaters; or, high-rate aeration. High-rate aeration is a system of surface impoundments or tanks, in which intense mechanical aeration is used to completely mix the wastes, enhance biological activity, and:

i) The units employ a minimum of 6 horsepower per million gallons of treatment volume; and either

ii) The hydraulic retention time of the unit is no longer than 5 days; or

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iii) The hydraulic retention time is no longer than 30 days and the unit does not generate a sludge that is a hazardous waste by the toxicity characteristic.

B) Generators and treatment, storage or disposal (TSD) facilities have the burden of proving that their sludges are exempt from listing as F037 or F038 wastes under this definition. Generators and TSD facilities shall maintain, in their operating or other on site records, documents and data sufficient to prove that:

i) The unit is an aggressive biological treatment unit as defined in this subsection; and

ii) The sludges sought to be exempted from F037 or F038 were actually generated in the aggressive biological treatment unit.

3) Time of generation. For the purposes of:

A) The F037 listing, sludges are considered to be generated at the moment of deposition in the unit, where deposition is defined as at least a temporary cessation of lateral particle movement.

B) The F038 listing:

i) Sludges are considered to be generated at the moment of deposition in the unit, where deposition is defined as at least a temporary cessation of lateral particle movement; and

ii) Floats are considered to be generated at the moment they are formed in the top of the unit.

(Source: Amended at Ill. Reg. , effective)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

1) The Heading of the Part: DEVELOPMENTAL DISABILITIES SERVICES

2) Code Citation: 89 Ill. Adm. Code 144

3)

Section Number:	Proposed Action:
144.275	Amendment

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking provides for an increase in the rate paid ICF/DD facilities for dental services. This increase results from additional funds being generated by assessment fees. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $500,000 in Fiscal Year 1992.

6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date?
____Yes _X_ No

8) Does this Proposed Amendment contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
144.300	New Section	May 17, 1991 (15 Ill. Reg. 7455)
144.325	New Section	May 17, 1991 (15 Ill. Reg. 7455)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel Leikvold,

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Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except in Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

12) Initial Regulatory Flexibility Analysis:

A) Date Proposed Amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: October 22, 1991

B) Types of small businesses affected: Medical Providers

C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.

D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendment is identical to the text of the Emergency Amendment which appears in this issue of the Register on page 16150.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: HOSPITAL SERVICES

2) Code Citation: 89 Ill. Adm. Code 148

3)

Section Numbers:	Proposed Action:
148.20	Amendment
148.40	Amendment
148.60	Amendment
148.70	Amendment
148.80	Amendment
148.90	Repealed
148.100	Repealed
148.110	Repealed
148.120	Amendment
148.130	Amendment
148.140	Amendment
148.150	Amendment
148.160	Amendment
148.170	Amendment
148.180	Amendment
148.190	Amendment
148.200	Amendment
148.210	Amendment
148.220	Amendment
148.230	Amendment
148.240	Amendment
148.250	Amendment
148.260	Amendment
148.270	Amendment
148.280	Amendment
148.290	Amendment
148.300	Amendment
148.310	Amendment
148.320	Amendment
148.400	New Section

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking describes several new reimbursement methodologies for hospitals (Numbers in parentheses indicate the estimated increase resulting from the particular component to the Department's aggregate expenditures to hospitals for Fiscal Year 1992): reimbursement for county-owned and state-owned hospitals in counties with populations over 3 million ($450 million);

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disproportionate share hospitals (including additional adjustments for targeted access and critical care access hospitals ($18 million); outpatient hospital reimbursement ($20 million); uncompensated care reimbursement methodologies ($65 million); and alternate reimbursement methodologies for hospitals excluded from the Diagnosis Related Grouping Prospective Payment System (DGR PPS) (no increase).

6) Will these Proposed Amendments replace Emergency Amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
____Yes __X__No

8) Do these Proposed Amendments contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
148.340	Amendment	July 26, 1991 (15 Ill. Rg. 10909)
148.360	Amendment	July 26, 1991 (15 Ill. Reg. 10909)
148.370	Amendment	July 26, 1991 (15 Ill. Reg. 10909)
148.380	Amendment	July 26, 1991 (15 Ill. Reg. 10909)
148.390	Amendment	July 26, 1991 (15 Ill. Reg. 10909)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel C. Leikvold, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois

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62762 (217)782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except in Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

12) Initial Regulatory Flexibility Analysis:

A) Date Proposed Amendments were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: October 25, 1991

B) Types of small businesses affected: Medical Providers

C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.

D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendments are identical to the text of the Emergency Amendments which appears in this issue of the Register on page 16169.

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NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

2) Code Citation: 89 Ill. Adm. Code 149

3) Section Numbers: Proposed Action:

149.5	Amendment
149.25	Amendment
149.50	Amendment
149.75	Amendment
149.100	Amendment
149.105	Amendment
149.125	Amendment
149.150	Amendment
149.175	Repealed
149.200	Repealed
149.205	Repealed
149.225	Repealed
149.250	Repealed
149.275	Repealed
149.300	Repealed
149.305	Repealed
149.325	Repealed

4) Statutory Authority: Sections 5-5.1 et seq. of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq.)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking sets forth the basis of payment for inpatient hospital services under the Diagnostic Related Grouping (DRG) Prospective Payment System (PPS). This rulemaking also deletes provisions related to the Illinois Competitive Access and Reimbursement Equity Program (ICARE).

These changes are estimated to increase the Department's aggregate expenditues for inpatient hospital services by $510 million in Fiscal Year 1992.

6) Will these Proposed Amendments replace Emergency Amendments currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date?
___Yes X No

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8) Do these Proposed Amendments contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel Leikvold, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except in Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

12) Initial Regulatory Flexibility Analysis:

A) Date Proposed Amendments were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: November 1, 1991

B) Types of small businesses affected: Medical providers

C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.

D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendments are identical to the text of the Emergency Amendments which appears in this issue of the Register on page 16310.

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1) The Heading of the Part: MEDICAL PAYMENT

2) Code Citation: 89 Ill. Adm. Code 140

3) Section Numbers: Proposed Action:

140.94	New Section
140.95	New Section
140.530	Amendment
140.538	Amendment
140.552	Amendment
140.562	Amendment
140.569	Amendment
140.583	Amendment
140.835	Repealed

4) Statutory Authority:

89 Ill. Adm. Code 140.94 and 140.95

Sections 5-4.20 through 5-4.39 and Sections 14-1 through 14-10 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-4.20 through 5-4.39 and Sections 14-1 through 14-10)

89 Ill. Adm. Code 140.530 thru 140.835

Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) A Complete Description of the Subjects and Issues Involved:

89 Ill. Adm. Code 140.94 and 140.95

This rulemaking implements a system of Provider Participation Fees.

Section 140.94 "Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund": Under this rulemaking intermediate care facilities for the developmentally disabled and skilled and intermediate nursing facilities, including county nursing homes, are required to pay a provider participation fee to the Department of Public Aid equal to 15% of the provider's Medicaid payments. They are used, in conjunction with other State funds, as the State's match in order to receive Federal Financial Participation for medical services.

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Section 140.95 "Hospital Services Trust Fund": Under this rulemaking, hospitals are required to pay certain provider participation fees to the Department. One fee equals 50% of the difference between the hospital's anticipated Medicaid payments for the current fiscal year and what the hospital's payments would have been in the current fiscal year, based on Fiscal Year 1991 payments less 5%. A second fee equals 5% of the hospitals payments from the Department last fiscal year. A third fee is imposed only on hospitals receiving critical care access payments and equals 50% of those payments. These fees are used, in conjunction with other State funds, as the State's match in order to receive Federal Financial Participation for medical services.

The rules set forth guidelines for the amount of the fees, the payment of the fees, delayed payment of fees, reconsideration and reconciliation on the amount of the fee, penalties for late payment of the fees, disbursement of the fees from the fund to the providers and annual audits. This structure of fees and disbursements is conditioned upon the availability of federal funds under Title XIX of the Social Security Act to match the fees collected and disbursed. If federal matching funds become unavailable, these rules shall no longer apply.

89 Ill. Adm. Code 140.530 thru 140.835

Section 140.530 "Basis of Payment for Long Term Care Services": This rulemaking deletes the requirement that Department rates to nursing facilities may not exceed a facility's charges to private pay residents. This brings Department rules in this regard into accord with federal regulations. This change has no fiscal impact on the Department's expenditures.

Section 140.538 "Special Costs": This rulemaking provides that the assessment fee does not become an allowable cost for double reimbursement in future cost reports. This change has no fiscal impact on the Department's expenditures.

Section 140.552 "Nursing and Program Costs": This rulemaking removes the Illinois Experience factor. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $17.3 million in Fiscal Year 1992.

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Section 140.562 "Nursing Costs": This rulemaking removes the 7.1% nursing wage adjustment factor. The costs associated with elimination of this 7.1% are being distributed to certain categories of the IOC survey. A proposed/emergency rulemaking addressing those distributions is being contemperaneously filed with this rulemaking. Accordingly, this change will have fiscal impact on the Department's annual aggregate expenditures for Fiscal Year 1991.

Section 140.569 "Clients With Exceptional Care Needs": This rulemaking will allow facilities with Medicaid eligible residents, that have been discharged from the hospital or are transitioning from Medicare to Medicaid while in the nursing facility, to be assessed for exceptional care reimbursement. The proposed rule is also lowering the cost requirement from 50% to 25% more than the proposed admitting facility's per diem rate. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $3 million in Fiscal Year 1992.

Section 140.583 "Campus Facilities": This rulemaking revises the methodology used to determine rates for Campus Facilities to encompass the assessment fee. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $100,000 in Fiscal Year 1992.

Section 140.835 "Determination of Cap on Payments for Long Term Care": This section is obsoleted and accordingly repealed because the Department is deleting the requirement that Department rates for nursing facilities may not exceed a facility's charges to private pay residents. This change has no fiscal impact on the Department's expenditures.

6) Will these Proposed Amendments replace Emergency Amendments currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date?
___Yes X No

8) Do these Proposed Amendments contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

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Section Numbers	Proposed Action	Illinois Register Citation
140.2	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.3	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.5	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.11	Amendment	May 10, 1991 (15 Ill. Reg. 6949)
140.71	Amendment	December 21, 1990 (14 Ill. Reg. 20170)
140.400	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.425	Repealed	August 19, 1991 (15 Ill. Reg. 12171)
140.426	Repealed	August 19, 1991 (15 Ill. Reg. 12171)
140.428	Repealed	August 19, 1991 (15 Ill. Reg. 12171)
140.440	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.441	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.442	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.449	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.460	Amendment	April 5, 1991 (15 Ill. Reg. 4903)
140.461	Amendment	April 5, 1991 (15 Ill. Reg. 4903)
140.462	Amendment	April 5, 1991 (15 Ill. Reg. 4903)

Section II

Material Specifications -- Part A -- Ferrous

Section II

Material Specifications -- Part B -- Nonferrous

Section II

Material Specifications -- Part C -- Welding Rods Electrodes and Filler Metals

Section IV

Heating Boilers

Section V

Nondestructive Examination

Section VI

Recommended Rules for Care and Operation of Heating Boilers

Section VII

Recommended Rules for Care of Power Boilers

Section VIII

Pressure Vessels -- Division 1 Including Appendix M

Section VIII

Pressure Vessels -- Division 2 -- Alternative Rules

Section IX

Welding and Brazing Qualifications

Section X

Fiberglass -- Reinforced Plastic Pressure Vessels

f) Further, the Board of Boiler and Pressure Vessel Rules by resolution had adopted a manual for boiler and pressure vessel inspectors entitled, The National Board Inspection Code, ~~1972~~ 1989 Edition as revised August 1989 published by the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229.

g) In addition, for power piping, the Board has adopted ANSI B31.1 on power piping published by the American National Standards Institute (Power Piping, An American National Standard Code for Pressure Piping, ANSI/ASME B31.1, New York: The American Society of Mechanical Engineers, 1983).

(Source: Amended at __ Ill. Reg. _____, effective _____.)

Section 120.1000 Repairs and Alterations to Boilers and Pressure Vessels by Welding

~~a) R1--Introduction.---This--Section--covers--rules--for--repairs--and alterations--to--boilers--and--pressure--vessels--by--welding.---Where applicable--rules--for--a--repair--or--alteration--are--not--given,--it--is intended--that,--subject--to--approval--of--the--Inspector,--details--of design--and--construction--insofar--as--practicable,--will--be--consistent with--the--rules--of--the--ASME--Code--or--the--rules--for--repairs--contained in--the--National--Board--Inspection--Code--or--the--Code--to--which--the--item was--originally--constructed.~~

~~b) R2---General---Requirements---for---Repairs---and---Alterations.----The requirements--of--the--following--paragraphs--apply--to--all--repairs--and alterations--to--boiler--and--pressure--vessel--pressure--retaining--parts except---that---an---owner--user---of---pressure---vessels---qualified---in accordance--with--Section--15--of--the--Act--(Ill.--Rev.--Stat.---1985,---ch.---111 1/2,---par.---3216)---shall--have--the--option--of--using--the--provisions--of API--510---for---the---inspection,---repair,---alteration,---or---rerating---of pressure--vessels.~~

~~c) R3--Repairs.---No--repair--to--a--boiler--or--pressure--vessel---shall---be initiated---without---the---authorization---of---the--Inspector---who---shall satisfy---himself---that---the---welding---procedures---and---welders---are qualified--and--that--the--repair--methods--are--acceptable.---The--Inspector may--give--prior--approval--for--limited--repairs--provided--he--has--assured himself---that---the---repairs---are---described---in--Appendix--A.---In---every case,--however,--the--Inspector--shall--be--advised--of--each--repair--under such--prior--agreement.~~

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1) R3.1-Alterations.--No alteration to a boiler or pressure vessel shall be initiated without the authorization of the Inspector who shall satisfy himself that the welding procedures and welders are qualified, and that the alteration methods and calculations are acceptable. If he considers it necessary he shall make an inspection of the object before granting such authorization. Alterations to boiler and pressure vessels shall be performed by an organization in possession of a valid ASME Certificate of Authorization to use the Code Symbol Stamp provided the alterations are within the scope of such authorization. An altered manufacturers report shall be submitted to the Division of Boiler and Pressure Vessel Safety for all alterations.

2) R3.2-Acceptance of Repairs and Alterations.--Provided that repairs or alterations shall be acceptable to the Authorized Inspection Agency responsible for the boiler or pressure vessel, acceptance of repairs and alterations may be made by an Inspector employed by any of the following:

A) Illinois Division of Boiler and Pressure Vessel Safety

B) The Inspection Agency of record of the organization making the repair or alteration

C) The Authorized Inspection Agency, provided the work was not performed by his employer, except as provided in Paragraph R3.4 (Section 120.1000(c)(4) of this Part.

3) R3.3-Acceptance Inspection.--It shall be the responsibility of the organization making the repair or alteration to coordinate the acceptance inspection of the repair or alteration.

4) R3.4--Owner User Acceptance Inspection of Repairs.--An Owner User Inspector may perform acceptance inspections of repairs to boilers and pressure vessels when such repairs have been performed by his employer provided his organization and inspection procedures have specific approval of the jurisdiction. Such acceptance inspection procedures shall be subject to the concurrence of the Authorized Inspection Agency responsible for the boiler or pressure vessel.

d) R4-Welding

1) R4.1-Welding Procedure Specifications.--The organization making

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repairs or alterations under this Part shall list the parameters applicable to welding that he performs in his welding procedure specification (WPS) document. Each such organization shall qualify the WPS by the welding of test coupons and the testing of specimens and recording the welding data and test results in his procedure qualification record (PQR) document.

2) R4.2-Welding Performance Qualification.--Welders or welding operators shall qualify for each welding process that they use in the repair or alteration of a boiler or pressure vessel. Such qualification shall be in accordance with the requirements of Section IX of the ASME Code and to a qualified welding procedure specification of the organization making the repair or alteration.

3) R4.3-Welding Qualification Records.--The organization making the repair or alteration shall maintain a record of the results obtained in welding procedures and welding performance qualifications. Their records shall be certified by the organization and shall be available to the Inspector prior to the start of welding.

e) R5-Materials.--The materials used in making repairs or alterations shall conform to the requirements of Section II of the ASME Code. Material shall be compatible with the original material.

f) R6--Design of Welded Joints.--Butt joints shall have complete penetration and complete fusion for the full length of the weld. The surfaces of the weld may be left "as welded", provided they are sufficiently free from coarse ripples, undercuts, grooves, overlaps, abrupt ridges and valleys to avoid stress risers.

g) R7-Replacement Pressure Parts.--In general, replacement parts may be classified as follows:

1) Replacement parts subject to internal or external pressure that consist of materials which may be formed or assembled to the required shape by bending, forging or other forming methods, but on which no shop fabrication welding is performed may be supplied as material. Material and part identification shall be supplied in the form of bills of material and drawings with ASME Code compliance certified in a statement by the parts supplier.

2) Replacement parts subject to internal or external pressure that are not preassembled by welding, but on which shop inspection is not required by the ASME Code, shall have the welding performed in accordance with Section IX and other applicable Sections of the ASME Code. The replacement part assembly identification shall be supplied in the form of bills of material and drawings. The supplier or manufacturer shall certify that the material, design and fabrication are in accordance with the applicable Section of the ASME Code.

3) Replacement parts subject to internal or external pressure fabricated by welding which require shop inspection by an Authorized Inspector shall be fabricated by a manufacturer having an ASME Certificate of Authorization and the appropriate Code Symbol Stamp. A complete Manufacturer's Partial Data Report shall be supplied by the manufacturer.

h) R8 Pressure Tests

1) R8.1 Repairs. The Inspector may require a pressure test after the completion of a repair to a boiler or pressure vessel when in his judgment one should be conducted.

2) R8.2 Alterations. A pressure test shall be applied to the boiler or pressure vessel on the completion of an alteration.

3) R8.3 Requirements. Pressure tests shall be carried out in accordance with the applicable Section of the ASME Code.

i) R9 Repair Methods. Repair methods in these paragraphs shall be used in conjunction with the general requirements in Paragraph R2 (Section 120.1000(b) of this Part).

j) R10 Defect Repairs

1) R10.1 General. A repair of a defect, such as a crack in a welded joint or base material, shall not be made until the defect has been removed. A suitable nondestructive method shall be used to assure its complete removal. If the defect penetrates the full thickness of the material, the repair shall be made with a complete penetration weld such as double butt weld or a single butt weld with or without backing. Before repairing a cracked area, care should be taken to investigate its cause and to determine its extent. Where circumstances indicate that the crack is likely to recur, consideration

should be given to removing the cracked area and installing a patch.

2) R10.2 Unstayed Boiler Furnace Cracks. Cracks at the knuckle or at the turn of the flange of the furnace opening require immediate replacement of the affected area or specific approval of repairs by the Authorized Inspection Agency. (See Appendix A)

3) R10.3 Rivet or Staybolt Hole Cracks. Cracks radiating from rivet or staybolt holes may be repaired if the plate is not seriously damaged. If the plate is seriously damaged, it shall be replaced. For suggested methods of repair, see Appendix A, figure 2.

4) R10.4 Minor Defects. Minor cracks, isolated pits, and small plate imperfections should be examined to determine the extent of the defect and whether welding is required. When welding is required, these defects shall be prepared for welding by removing to solid metal. Liquid penetrant or magnetic particle examination may be used before or after welding.

5) R10.5 Defective Bolting. Defective bolting material shall not be repaired but shall be replaced with suitable material which meets the specifications of the applicable Section of the ASME Code.

k) R11 Wasted Areas

1) R11.1 Shells, Drums, Headers. Wasted areas in stayed and unstayed shells, drums and headers may be built up by welding provided that in the judgment of the Inspector the strength of the structure will not be impaired. Where extensive weld build up is employed, the Inspector may require an appropriate method of NDE (Non destructive Examination) for the complete surface of the repair. For suggested methods of building up wasted areas by welding, see Appendix A, Figure 3. See Paragraph R10.4 for repairs of minor defects (Section 120.1000(j)(4) of this Part).

2) R11.2 Access Openings. Wasted areas around access openings may be built up by welding or they may be repaired as described in Appendix A, Figure 4. In boilers, the area to be so repaired shall not be closer than 2 inch (50.8mm) from any knuckle.

3) R11.3-Flanges.--Wasted-flange-faces-may-be-cleaned-thoroughly and-built-up-with-weld-metal.--They-should-be-machined-in-place if-possible-to-a-thickness-not-less-than-that-of-the-original flange-or-that-required-by-calculations-in-accordance-with-the provisions-of-the-applicable-Section-of-the-ASME-Code.--Wasted flanges-may-also-be-remachined-in-place-without-building-up with-weld-metal-provided-the-metal-removed-in-the-process-does not-reduce-the-thickness-of-the-flange-to-a-measurement-below that-calculated-above.--Flanges-which-leak-because-of-warpage or-distortion-and-which-cannot-be-remachined-shall-be-replaced with-new-flanges-which-have-at-least-the-dimensions-conforming to-the-applicable-Section-of-the-ASME-Code.

4) R11.4-Tubes.--Wasted-areas-on-tubes-may-be-repaired-by-welding provided-that-in-the-judgment-of-the-Inspector-the-strength-of the-tube-has-not-been-impaired.

5) R11.5-Corrosion,-Grooving.

A) Localized--corrosion--that--produced-a--groove,--expecially along--or-immediately-adjacent-to-a-joint,-could-be-more serious-than-a-similar-amount-of-corrosion-on-solid-plate away-from-the-joints.--Grooving-and-cracks-along longitudinal-joints-are-especially-significant-as-they-are likely--to--occur--where--the--material--is--more--highly stressed.--Severe-corrosion-is-likely-to-occur-at-points where-the-circulation-of-the-corrosive-fluid-is-poor;-such places-shall-be-examined-most-carefully.

B) For-the-purpose-of--estimating-the-effect-of-corrosion-or other--defects-upon--the-strength--of-a-shell,--comparison shall--be--made-with--the--efficiency--of--the-longitudinal joint-of-the-same-boiler-or-pressure-vessel,-the-strength of-which-is-always-less-than-that-of-the-solid-sheet.

C) All-flanging-shall-be--inspected--thoroughly,--particularly the--flanges--of--heads--that--are--not--stayed.---Internal grooving-in-the-fillets-of-such-heads-and-external-grooving in-the-outer-surfaces-of-heads-concave-to-pressure-are very-common-since-there-is-a-slight-movement-in-heads-of this-character-which-produces-this-kind-of-defect.--Some types--of--boilers--or--pressure--vessels--have--the--OG--or reversed-flange-construction-in-a-few-of-their-parts-that may-be-inaccessible-to-the-eye,--but-the-conditions-shall be--determined--by--the--insertion--of--a--borescope,--fiber

optics-or-a-mirror-which,-at-a-proper-angle,-will-reflect back-to-the-eye-the-condition-of-such-a-part.

D) On-new-vessels-and-on-vessels-for-which-service-conditions are-being-changed,-one-of-the-following-methods-shall-be employed-to-determine-the-probable-rate-of-corrosion-from which-the-remaining-wall-thickness-at-the-time-of-the-next inspection-can-be-estimated.

i) The-corrosion-rate-as-established-by-accurate-data collected-by-the-owner-or-user-on-vessels-in-the same-or-similar-service.

ii) If-accurate-data--for-the-same-or-similar-service are-not-available,-the-probable-corrosion-rate--as estimated--from--the--Inspector's--knowledge--and experience-on-vessels-in-similar-service.

iii) If-the-probable-corrosion-rate-cannot-be-determined by-either-of-the-above-mentioned-methods,-thickness determinations--shall--be--made--after--approximately 1000-hours-of-service,-or-one-normal-run-if-longer than---this;---subsequent---sets---of---thickness measurements-shall-be-taken-after-additional similar--intervals--until--the--corrosion--rate--is determined--by--this--method;--the--corrosion--data indicated-by-the-first-inspection-may-be-used-as-a first-approximation-of-the-corrosion-rate-but-shall be-excluded-from-all-subsequent-computations-of-the corrosion--rate,---since--attack---on---the--initial surfaces-may-not-be-indicative-of-subsequent-attack on-corroded-surfaces.

1) R12-Seal-Welding

1) R12.1--Seal-Welding-of-Tubes.--Tubes-may-be-seal-welded provided-the-ends-of-the-tubes-have-sufficient-wall-thickness to-prevent-burn-through-and-the-requirements-of-the-appropriate Sections--of--the-ASME--Code-are-satisfied.---(See-Appendix-A, Figure-5)

2) R12.2--Seal-Welding-of-Riveted-Joints.---Edges-of-butt-straps, plate-laps-and-nozzles,-or-of-connections-attached-by-riveting may--be--restored--to--original--dimensions--by--welding.---Seal welding-of-riveted-joints,-butt-straps-or-rivets-shall-require

the approval of the Authorized Inspection Agency. If seal welding is approved, suggested methods and precautions are shown in Appendix A, Figure 6.

m) R13 Re-Ending or Piecing Pipes and Tubes. Re-ending or piecing pipes and tubes is permitted provided the thickness of the remaining tube or pipe is not less than 90 percent of that required by the applicable Section of the ASME Code.

n) R14 Patches

1) R14.1 Flush Patches. The weld around a flush patch shall be a full penetration weld and the accessible surfaces shall be ground flush where required by the applicable Section of the ASME Code. Examples of flush weld patches are shown in Appendix A, Figure 7. Flush welded patches shall be subjected to an appropriate nondestructive examination which shall be consistent with the original construction requirements.

2) R14.2 Tube Patches. In some situations it is necessary to weld a flush patch on a tube, such as when replacing tube sections and accessibility around the complete circumference of the tube is restricted or when it is necessary to repair a small bulge. This is referred to as a window patch. Suggested methods for window patches are shown in Appendix A, Figure 8.

3) R14.3 Stays. Threaded stays may be replaced by welded in stays provided that in the judgment of the Inspector, the plate adjacent to the staybolt has not been materially weakened by deterioration or wasting away. All requirements of the applicable Section of the ASME Code governing welded in stays shall be met.

o) R15 Alteration Methods. Alteration methods shall comply with the general requirements of R2 (Section 120.1000(b) of this Part and with the appropriate Section of the ASME Code including any service restrictions.

p) R16 Replacement Drums and Shells. Major replacement pressure parts, including drums and shells, which are fabricated by welding and for which a Manufacturers Data Report is required by the applicable Code Section shall be fabricated by a manufacturer having an ASME Certificate of Authorization and the appropriate Code Symbol Stamp. The item shall be inspected, stamped with the applicable Code Symbol and the word "PART", and reported on the appropriate Manufacturers Partial Data Report.

q) R17 Replaced Stamping. When a repair or alteration requires removal of that part of a boiler or pressure vessel containing the Code Stamping, the Inspector shall, subject to the approval of the jurisdiction, witness the making of a facsimile of stamping, the obliteration of the old stamping and the transfer of the stamping to the new part. When the stamping is on a nameplate, the Inspector is to witness the transfer of the nameplate to the new part. The Code Symbol is not to be restamped.

r) R18 Rerating of a Boiler or Pressure Vessel. Rerating a boiler or pressure vessel by increasing the maximum allowable working pressure or temperature shall be considered an alteration and may be done only after the following requirements have been met to the satisfaction of the Authorized Inspection Agency:

1) Revised calculations verifying the new service conditions shall be required from the original manufacturer and shall be acceptable to his Authorized Inspection Agency. Where such calculations can not be obtained from this source, they may be prepared by a Professional Engineer and forwarded for review by the Authorized Inspection Agency.

2) All reratings shall be established in accordance with the requirements of the Code to which the boiler or pressure vessel was built or by computation using the appropriate formulas in the latest edition of the ASME Code if all essential details are definitely known to comply with the edition of the Code to which the object was built.

3) Current inspection records verify that the boiler or pressure vessel is satisfactory for the proposed service conditions.

4) The boiler or pressure vessel has been pressure tested, as required, for the new service conditions.

s) R19 Suggestions

1) The Inspector should be well informed of the natural and neglectful causes of defects and deterioration of boilers and pressure vessels. He should be conscientious and extremely careful in his observations, taking sufficient time to make the examinations thorough in every way, taking no one's statement as final as to conditions not observed by him, and, in the event of inability to make thorough inspections, he should note it in his report and not accept the statements of others.

2) The Inspector shall make a general observation of the

~~conditions of the boiler room and apparatus, as well as of the attendants, as a guide in forming an opinion of the general care of the equipment.~~

~~3) He shall weigh very carefully the condition of any defects in order to determine its relation to, or influence upon, the safety of the inspected boiler or pressure vessel. He shall question responsible employees as to the history of old boilers or pressure vessels, their peculiarities and behavior, ascertain what, if any, repairs have been made and, if any, their character, and he shall investigate and determine whether they were made properly and safely.~~

a) Introduction. This Subpart covers rules for repairs and alterations to boilers and pressure vessels by welding. Where applicable rules for a repair or alteration are not given, it is intended that, subject to approval of the Inspector, details of design and construction insofar as practicable, will be consistent with the rules of the A.S.M.E. Code or the rules for repairs contained in the National Board Inspection Code or the Code to which the item was originally constructed.

b) General Requirements for Repairs and Alterations. The requirements of this Subpart apply to all repairs and alterations to boiler and pressure vessel pressure retaining parts except that an owner-user of pressure vessels qualified in accordance with Section 15 of the Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 3216) shall have the option of using the provisions of API-510 for the inspection, repair, alteration, or rerating of pressure vessels. Organizations in possession of an A.S.M.E. Certificate of Authorization or a National Board "R" Stamp need not meet the requirements of Sections 120.1010, 120.1020, 120.1030 or 120.1040.

c) All boilers and pressure vessels covered by this Act that are repaired after January 1, 1992, must be repaired by one of the following:

1) By an organization in possession of a valid A.S.M.E. "H", "S" or "U" Certificate of Authorization.

2) By an organization in possession of a valid "R" Certificate of Authorization issued by the National Board of Boiler and Pressure Vessel Inspectors.

3) An organization authorized by the Division of Boiler and Pressure Vessel Safety pursuant to this Subpart.

d) All boilers and pressure vessels covered by this Act altered after January 1, 1992 shall be performed in accordance with Section 120.1041 (b).

(Source: Amended at __ Ill. Reg. _____, effective _____.)

Section 120.1010 Authorization to Repair Boilers and Pressure Vessels

Realizing the importance of the proper repair of boilers and pressure vessels, the Board of Boiler and Pressure Vessel Rules authorized the development of procedures and rules for the issuance and use of the Certificate of Authorization for repair for those organizations requesting authorization to repair boilers and pressure vessels under Section 120.1000(c)(3). The Division shall review the repair organization's Quality Control Manual and shall require a demonstration of the repair organization's Quality Control System as described in this Subpart.

(Source: Added at __ Ill. Reg. _____, effective _____.)

Section 120.1020 Issuance and Renewal of the Certificate

Authorization to repair boilers and unfired pressure vessels will be granted by the Division of Boiler and Pressure Vessel Safety, Office of the State Fire Marshal, pursuant to the provisions of the following administrative procedures and rules:

a) A Certificate of Authorization will be issued for a period of three years. The certificate shall indicate authorization to repair either boilers or pressure vessels or both, as covered by the repair organization's Quality Control Manual. The Certificate will be signed by the Chief Inspector.

b) The applicant should apply to the Division for renewal of authorization and reissuance of the Certificate at least six (6) months prior to the date of expiration.

c) Before issuance or renewal of the Certificate of Authorization, the repair organization shall demonstrate its' Quality Control System to a representative of the Division.

d) It is the responsibility of the repair organization to make arrangements for this review. Certificates cannot be issued nor renewed until the Division has completed this review.

(Source: Added at __ Ill. Reg. _____, effective _____.)

Section 120.1030 Changes to Certificates of Authorization

When an organization authorized by the Division to repair boilers and pressure vessels changes location and/or ownership or name, the Office of the State Fire Marshal, Division of Boiler & Pressure Vessel Safety shall be notified. When a repair organization changes location, name or ownership, a review of its' Quality Control System shall be required.

(Source: Added at ___ Ill. Reg. _____, effective _____)

Section 120.1040 Quality Control Requirements

Quality Control System

a) General

1) Before issuance or renewal of a Certificate of Authorization, the Repair Organization must meet all requirements including an acceptable written Quality Control System which shall include, but not be limited to, material control, fabrication, welding, nondestructive examination, testing and inspection.

2) The written Quality Control System shall also include provisions for making revisions, posting and dating changes in the program enabling the system to be kept current as required.

3) The description and information of the system may be brief or voluminous, depending upon the circumstances.

4) In general, the Quality Control System shall describe and explain what documents and procedures the repair firm will use to validate a repair.

5) A review of the Repair Organization's Quality Control System will be performed by a representative of the Division. The review will include a demonstration of the implementation of the provisions of the Repair Organization's Quality Control System.

6) Each Repair Organization to whom a certificate is issued shall maintain thereafter an up to date copy of his accepted Quality Control Manual with the Division. Revisions to the Quality Control Manual shall not be implemented until such revisions are accepted by the Division.

b The following sets the minimum requirements of the Division for a written Quality Control System for repairs of boilers and pressure vessels. It is intended for use by manufacturers, repair organizations, or users. It is essential that each repair organization develop its own Quality Control System which meets the requirements of its' organization. For this reason, it is not possible to develop one Quality Control System which could apply to more than one organization. Some of these requirements are:

1) Title Page - The title page shall include the name and address of the company to which the Certificate of Authorization is to be issued. It shall also list the Sections of the A.S.M.E. Code to which the repairs apply.

2) Revision Log - A revision log is required to assure revision control of the Quality Control Manual. The log shall contain sufficient space for date, description and section of revision, company approval and Division acceptance.

3) Contents Page - The contents page shall list and reference, by paragraph and page number, the subjects and exhibits contained therein.

4) Statement of Authority and Responsibility - A statement of authority and responsibility shall appear on company letterhead, dated and signed by an officer of the company verifying the following:

A) If there is a disagreement in the implementation of the written Quality Control System, the matter is referred to a higher authority in the company for resolution; and

B) The title of the individual authorized to approve revisions to the written Quality control System and the method by which such revisions are to be submitted to the Division for acceptance before implementation.

5) Organizational Chart - The organizational chart shall include all departments or divisions within the company that perform functions affecting the quality of the repair and show the relationship.

6) Scope of Work - The scope of work section shall clearly indicate the scope and type repairs the organization is capable of and intends to carry out. The scope can be limited by

engineering, machine tools, welding processes, heat treatment facilities, testing facilities, non-destructive examination (NDE) techniques or qualified personnel.

7) Drawings and Specification Control - The drawings and specification control system shall provide procedures assuring that the latest applicable drawings, specifications and instructions required are used for repair, inspection and testing.

8) Material Control - The material control section shall describe procurement material with request for mill test certification as required. It shall also describe receiving, storage and issuance as well as the following.

A) State the title of the individual responsible for the procurement of all material.

B) State the title of the individual responsible for certification and other records as required.

C) All incoming material and parts shall be checked for conformance with the purchase order and, where applicable, the material specifications or drawings. Indicate how material or part is identified and how identity is maintained by the Quality Control System.

9) Repair and Inspection Program - The repair and inspection program section shall include reference to a document (such as a report, traveler or checklist) which outlines the specific repair and inspection procedures used in the repair. Provisions shall be made to retain this document for a period of at least five (5) years as a part of quality control traceability documents. The document referred to above shall include material check, reference to items such as the welding procedure specifications (WPS), fit-ups, NDE technique, heat treatment, and hydrostatic/pneumatic pressure test methods to be used. There shall be a space for "sign-offs" at each operation to verify that each step has been properly performed.

10) Welding, NDE and Heat Treatment. The Quality Control Manual shall indicate the title of the person(s) responsible for the development and approval of the welding procedure specifications and their qualifications, and the qualifications of welders and welding operators. Welding procedures

specifications and welders and welding operators shall be qualified to the requirements of the A.S.M.E. Boiler and Pressure Vessel Code, Section IX. Similarily, NDE and heat treatment techniques must be covered in the Quality Control Manual. When outside services are used, the Quality Control Manual shall describe the system, whereby the use of such services meet the requirements of the applicable Section of the A.S.M.E. Code.

11) Calibration of Measurement and Test Gauges - The calibration of measurement and test gauges system shall include the periodic calibration of measuring instruments and pressure gauges.

A) Pressure gauges are to be checked periodically (indicate time schedule) by the person authorized (indicate title). The method of gauge testing is to be indicated and results recorded.

B) Periodically, all master instruments shall be calibrated preferably but not necessarily to measuring equipment traceable to the National Bureau of Standards.

12) Controlled Copy - An up to date copy of the written Quality Control System shall be submitted to the Division for review and acceptance. Revisions shall also be submitted for acceptance prior to being implemented.

13) Sample Forms - Forms used in the Quality Control System shall be included in the manual with a written description. Forms exhibited shall be marked "SAMPLE" and completed in a manner typical of actual repair procedures.

14) Individuality Important - It is extremely important that the manual describe and the operation implement the system of each repair organization firm while meeting the requirements of this Subpart.

(Source: Added at __ Ill. Reg. _____, effective _____.)

Section 120.1041 Repair & Alteration Requirements

a) Repairs. No repair to a boiler or pressure vessel shall be initiated without the authorization of the Inspector who shall satisfy himself that the welding procedures and welders are

qualified and that the repair methods are acceptable. The Inspector may give prior approval for repairs of a routine nature provided he has assured himself that the repairs are described in Appendix A (c). In every case, however, the Inspector shall be advised of each repair under such prior agreement.

b) Alterations. Except as permitted for owner/users in Section 120.1000(b) alterations to boilers and pressure vessels shall be performed by an organization in possession of a valid A.S.M.E. Certificate of Authorization to use the appropriate code symbol stamp or a National Board "R" Certificate of Authorization provided the alterations are within the scope of such authorization. No alteration to a boiler or pressure vessel shall be initiated without the authorization of the Inspector who shall satisfy himself that the alteration methods and calculations are acceptable. If he considers it necessary, he shall make an inspection of the object before granting such authorization.

c) Acceptance of Repairs and Alterations. Provided that repairs or alterations shall be acceptable to the Authorized Inspection Agency responsible for the boiler or pressure vessel, acceptance of repairs and alterations may be made by an Inspector employed by any of the following:

1) Illinois Division of Boiler and Pressure Vessel Safety.

2) The Inspection Agency of record of the organization making the repair or alteration.

3) The Authorized Inspection Agency, provided the work was not performed by his employer, except as provided in (Section 120.1041(e) of this Part.

d) Acceptance Inspection. It shall be the responsibility of the organization making the repair or alteration to coordinate the acceptance inspection of the repair or alteration. Except for repairs of a routine nature, a completed record of welding repairs shall be submitted to the Division. (Appendix B) An acceptable alternate to Appendix B is the National Board R-1 Form.

e) Owner-User Acceptance Inspection of Repairs. An Owner-User Inspector may perform acceptance inspections of repairs to boilers and pressure vessels when such repairs have been performed by his employer provided his organization and inspection procedures have specific approval of the Division. Such acceptance inspection

procedures shall be subject to the concurrence of the Authorized Inspection Agency responsible for the boiler or pressure vessel.

f) Replacement Pressure Parts. In general, replacement parts may be classified as follows:

1) Replacement parts subject to internal or external pressure that consist of materials which may be formed or assembled to the required shape by bending, forging or other forming methods, but on which no shop fabrication welding is performed may be supplied as material. Material and part identification shall be supplied in the form of bills of material and drawings with A.S.M.E. Code compliance.

2) Replacement parts subject to internal or external pressure that are preassembled by welding, but on which shop inspection is not required by the A.S.M.E. Code, shall have the welding performed in accordance with Section IX and other applicable Sections of the A.S.M.E. Code. The replacement part assembly identification shall be supplied in the form of bills of material and drawings. The supplier or manufacturer shall certify that the material, design and fabrication are in accordance with the applicable Section of the A.S.M.E. Code.

3) Replacement parts subject to internal or external pressure fabricated by welding which require shop inspection by an Authorized Inspector shall be fabricated by a manufacturer having an A.S.M.E. Certificate of Authorization and the appropriate Code Symbol Stamp. A complete Manufacturer's Partial Data Report shall be supplied by the manufacturer.

g) Pressure Tests

1) Repairs. The Inspector may require a pressure test after the completion of a repair to a boiler or pressure vessel when in his judgment one should be conducted.

2) Alterations. A pressure test in accordance with the National Board Inspection Code 1989 Edition as revised August 1989 shall be applied to the boiler or pressure vessel on the completion of an alteration.

h) Repair Methods. Repair methods in these paragraphs shall be used in conjunction with the general requirements in Section 120.1000(b) of this Part.

i) Defect Repairs

1) General. A repair of a defect, such as a crack in a welded joint or base material, shall not be made until the defect has been removed. A suitable nondestructive method shall be used to assure its complete removal. If the defect penetrates the full thickness of the material, the repair shall be made with a complete penetration weld such as double butt weld or a single butt weld with or without backing. Before repairing a cracked area, care should be taken to investigate its cause and to determine its extent. Where circumstances indicate that the crack is likely to recur, consideration should be given to removing the cracked area and installing a patch.

2) Unstayed Boiler Furnace Cracks. Cracks at the knuckle or at the turn of the flange of the furnace opening require immediate replacement of the affected area or specific approval of repairs by the Authorized Inspection Agency. (See Appendix A Figure 1)

3) Rivet or Staybolt Hole Cracks. Cracks radiating from rivet or staybolt holes may be repaired if the plate is not seriously damaged. If the plate is seriously damaged, it shall be replaced. For suggested methods of repair, see Appendix A, Figure 2.

4) Minor Defects. Minor cracks, isolated pits, and small plate imperfections should be examined to determine the extent of the defect and whether welding is required. When welding is required, these defects shall be prepared for welding by removing to solid metal. Liquid penetrant or magnetic particle examination may be used before or after welding.

5) Defective Bolting. Defective bolting material shall not be repaired but shall be replaced with suitable material which meets the specifications of the applicable Section of the A.S.M.E. Code.

j) Wasted Areas

1) Shells, Drums, Headers. Wasted areas in stayed and unstayed shells, drums and headers may be built up by welding provided that in the judgment of the Inspector the strength of the structure will not be impaired. Where extensive weld build-up is employed, the Inspector may require an appropriate method of

NDE (Non-destructive Examination) for the complete surface of the repair. For suggested methods of building up wasted areas by welding, see Appendix A, Figure 3. For repairs of minor defects see Section 120.1041(i)(4) of this Part.

2) Access Openings. Wasted areas around access openings may be built up by welding or they may be repaired as described in Appendix A, Figure 4. In boilers, the area to be so repaired shall not be closer than 2 inch (50.8mm) from any knuckle.

3) Flanges. Wasted flange faces may be cleaned thoroughly and built up with weld metal. They should be machined in place if possible to a thickness not less than that of the original flange or that required by calculations in accordance with the provisions of the applicable Section of the A.S.M.E. Code. Wasted flanges may also be remachined in place without building up with weld metal provided the metal removed in the process does not reduce the thickness of the flange to a measurement below that calculated above. Flanges which leak because of warpage or distortion and which cannot be remachined shall be replaced with new flanges which have at least the dimensions conforming to the applicable Section of the A.S.M.E. Code.

4) Tubes. Wasted areas on tubes may be repaired by welding provided that in the judgment of the Inspector the strength of the tube has not been impaired.

5) Corrosion, Grooving.

A) Localized corrosion that produced a groove, especially along or immediately adjacent to a joint, could be more serious than a similar amount of corrosion on solid plate away from the joints. Grooving and cracks along longitudinal joints are especially significant as they are likely to occur where the material is more highly stressed. Severe corrosion is likely to occur at points where the circulation of the corrosive fluid is poor; such places shall be examined most carefully.

B) For the purpose of estimating the effect of corrosion or other defects upon the strength of a shell, comparison shall be made with the efficiency of the longitudinal joint of the same boiler or pressure vessel, the strength of which is always less than that of the solid sheet.

C) All flanging shall be inspected thoroughly, particularly the flanges of heads that are not stayed. Internal grooving in the fillets of such heads and external grooving in the outer surfaces of heads concave to pressure are very common since there is a slight movement in heads of this character which produces this kind of defect. Some types of boilers or pressure vessels have the OG or reversed-flange construction in a few of their parts that may be inaccessible to the eye, but the conditions shall be determined by the insertion of a borescope, fiber optics or a mirror which, at a proper angle, will reflect back to the eye the condition of such a part.

D) On new vessels and on vessels for which service conditions are being changed, one of the following methods shall be employed to determine the probable rate of corrosion from which the remaining wall thickness at the time of the next inspection can be estimated.

i) The corrosion rate as established by accurate data collected by the owner or user on vessels in the same or similar service.

ii) If accurate data for the same or similar service are not available, the probable corrosion rate as estimated from the Inspector's knowledge and experience on vessels in similar service.

iii) If the probable corrosion rate cannot be determined by either of the above mentioned methods, thickness determinations shall be made after approximately 1000 hours of service, or one normal run if longer than this; subsequent sets of thickness measurements shall be taken after additional similar intervals until the corrosion rate is determined by this method; the corrosion data indicated by the first inspection may be used as a first approximation of the corrosion rate but shall be excluded from all subsequent computations of the corrosion rate, since attack on the initial surfaces may not be indicative of subsequent attack on corroded surfaces.

k) Seal Welding

1) Seal Welding of Tubes. Tubes may be seal welded provided the ends of the tubes have sufficient wall thickness to prevent burn through and the requirements of the appropriate Sections of the A.S.M.E. Code are satisfied. (See Appendix A, Figure 5)

2) Seal Welding of Riveted Joints. Edges of butt straps, plate laps and nozzles, or of connections attached by riveting may be restored to original dimensions by welding. Seal welding of riveted joints, butt straps or rivets shall require the approval of the Authorized Inspection Agency. If seal welding is approved, suggested methods and precautions are shown in Appendix A, Figure 6.

l) Re-Ending or Piecing Pipes and Tubes. Re-ending or piecing pipes and tubes is permitted provided the thickness of the remaining tube or pipe is not less than 90 percent of that required by the applicable Section of the A.S.M.E. Code.

m) Patches

1) Flush Patches. The weld around a flush patch shall be a full penetration weld and the accessible surfaces shall be ground flush where required by the applicable Section of the A.S.M.E. Code. Examples of flush weld patches are shown in Appendix A, Figure 7. Flush welded patches shall be subjected to an appropriate nondestructive examination which shall be consistent with the original construction requirements.

2) Tube Patches. In some situations it is necessary to weld a flush patch on a tube, such as when replacing tube sections and accessibility around the complete circumference of the tube is restricted or when it is necessary to repair a small bulge. This is referred to as a window patch. Suggested methods for window patches are shown in Appendix A, Figure 8.

3) Stays. Threaded stays may be replaced by welded-in stays provided that in the judgment of the Inspector, the plate adjacent to the staybolt has not been materially weakened by deterioration or wasting away. All requirements of the applicable Section of the A.S.M.E. Code governing welded-in stays shall be met.

n) Alteration Methods. Alteration methods shall comply with the general requirements of (Section 120.1000(b) of this Part and with the appropriate Section of the A.S.M.E. Code including any service restrictions.

o) Replacement Drums and Shells. Major replacement pressure parts, including drums and shells, which are fabricated by welding and for which a Manufacturers Data Report is required by the applicable Code Section shall be fabricated by a manufacturer having an A.S.M.E. Certificate of Authorization and the appropriate Code Symbol Stamp. The item shall be inspected, stamped with the applicable Code Symbol and the word "PART", and reported on the appropriate Manufacturers Partial Data Report.

p) Replaced Stamping. When a repair or alteration requires removal of that part of a boiler or pressure vessel containing the Code Stamping, the Inspector shall, subject to the approval of the jurisdiction, witness the making of a facsimile of stamping, the obliteration of the old stamping and the transfer of the stamping to the new part. When the stamping is on a nameplate, the Inspector is to witness the transfer of the nameplate to the new part. The Code Symbol is not to be restamped.

q) Rerating of a Boiler or Pressure Vessel. Rerating of a boiler or pressure vessel by increasing the maximum allowable working pressure (internal or external) or temperature, or decreasing the minimum temperature such that additional mechanical tests are required, shall be considered an alteration and shall be done only after the following requirements have been met to the satisfaction of the Authorized Inspection Agency.

1) Revised calculations verifying the new service conditions shall be required from the original manufacturer for review and acceptance by the Authorized Inspection Agency. Where such calculations can not be obtained from this source, they may be prepared by a Professional Engineer and forwarded for review and acceptance by the Authorized Inspection Agency.

2) All reratings shall be established in accordance with the requirements of the Code to which the boiler or pressure vessel was built or by computation using the appropriate formulas in the latest edition of the A.S.M.E. Code if all essential details are definitely known to comply with the edition of the Code to which the object was built.

3) Current inspection records verify that the boiler or pressure vessel is satisfactory for the proposed service conditions.

4) The boiler or pressure vessel has been pressure tested for the rerated condition as required by Section 120.1041(g)2.

r) Suggestions

1) The Inspector should be well informed of the natural and neglectful causes of defects and deterioration of boilers and pressure vessels. He should be conscientious and extremely careful in his observations, taking sufficient time to make the examinations thorough in every way, taking no one's statement as final as to conditions not observed by him, and, in the event of inability to make thorough inspections, he should note it in his report and not accept the statements of others.

2) The Inspector shall make a general observation of the conditions of the boiler room and apparatus, as well as of the attendants, as a guide in forming an opinion of the general care of the equipment.

3) He shall weigh very carefully the condition of any defects in order to determine its relation to, or influence upon, the safety of the inspected boiler or pressure vessel. He shall question responsible employees as to the history of old boilers or pressure vessels, their peculiarities and behavior, ascertain what, if any, repairs have been made and, if any, their character, and he shall investigate and determine whether they were made properly and safely.

(Source: Added at __ Ill. Reg. _____, effective _____.)

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

Section 120.Appendix B Record of Welded Repair

OFFICE OF THE STATE FIRE MARSHAL
DIVISION OF BOILER & PRESSURE VESSEL SAFETY
1035 STEVENSON DRIVE
SPRINGFIELD, IL 62703-4259
217/782-2696

RECORD OF WELDED REPAIR

==========

1. Work done by: _____
(name & address of repair organization)

2. Owner: _____

3. Location of installation: _____
(name and address)

4. Manufacturer: _____

5. Identifying nos.: _____ _____
(Mfr's Serial No.) (National Board No.)

_____ _____
(Illinois Identification No. (Year Built)

6. Description of work: _____
(use back, separate sheet, or sketch if necessary)

_____

_____

_____Pressure test, if applied _____ psi

7. _____ _____
REPAIR ORGANIZATION DATE AUTHORIZED INSPECTOR DATE

Source: Added at __ Ill. Reg. _____, effective _____.)

DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Illinois Child Labor Law

2) Code Citation: 56 Ill. Adm. Code 250

3)

Section Numbers:	Proposed Action:
250.105	Amended
250.115	Amended
250.125	Amended
250.130	Amended
250.135	Amended
250.155	New Section
250.160	New Section
250.165	New Section
250.170	New Section
250.175	New Section
250.180	New Section
250.200	Amended
250.600	Amended
250.700	Amended
250.705	New Section
250.710	New Section
250.715	New Section
250.805	Amended
250.820	Amended
250.825	Amended
250.855	New Section
250.860	New Section

4) Statutory Authority: Implementing Section 1, 3, 6, 3.1, 17.1 17.3 of the Illinois Child Labor Law (Ill. Rev. Stat. 1989 ch. 48, pars. 31.1, 31.3, 31.6, 31.8-1, 31.17-31.73).

5) A complete Description of the Subjects and Issues Involved: These amendments update the language of the Rules to cover the practices of modern day business. They also establish more complete standards for administrative hearings.

6) Will this proposed rule replace an emergency rule currently in effect? Yes.

7) Does this rulemaking contain an automatic repeal date? No.

DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

8) Does this proposed amendment contain incorporation by reference? Yes.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: To make it more difficult for employers to evade the law with respect to minors working on their premises.

11) Time, Place, and Manner in which interested persons may comment on their proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit comments no later than 45 days after the publication of this Notice to:

Ann Plunkett-Sheldon, Chief Legal Counsel
Illinois Department of Labor
310 South Michigan Avenue, 10th Floor
Chicago, Illinois 60604

12) Initial Regulatory Flexibility Analysis: The Department has determined that this proposed rulemaking will affect small business as that term is defined by Ill. Rev. Stat. 1989, ch. 127, par. 1003.10.

The text of the Proposed Amendments is identical to the text of the Emergency Amendments which appear on page 16134 of this issue of the Illinois Register.

DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Treatment and Habilitation Services

2) Code Citation: 59 Ill. Adm. Code 112

3) Section Number: Proposed Action:

112.90 Amendment

4) Statutory Authority: Implementing Sections 2-102, 2-107.1 and 2-107.2 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1989 and 1990 Supp., as amended by P.A. 86-124, effective August 13, 1991, ch. 91½, pars. 2-102, 2-107.1, 2-107.2 and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1989, ch. 91½, par. 5-104) and Section 5 of the Department of Mental Health and Developmental Disabilities Act (Ill. Rev. Stat. 1990 Supp., ch. 91½, par 100-5).

5) A Complete Description of the Subjects and Issues Involved: Section 112.90 is being amended to reflect recent legislation which requires physicians to advise recipients in writing of possible side effects of psychotropic medication; establishes multi-disciplinary committees to review ongoing medication; and sets out the procedure for petitioning a court for involuntary administration of psychotropic medication.

In addition, all statutory references have been updated.

6) Will this proposed amendment replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain incorporations by reference? This rulemaking does not contain any incorporations by reference in accordance with Section 6.02(b) of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 91½, par. 1006-02(b).

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: This rulemaking does not impact the State Mandates Act (Ill. Rev. Stat. 1989, ch. 85, par. 2201 et seq.).

DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Any interested person may submit comments, data, views or argument regarding this proposed rulemaking before the expiration of the first 45-day notice period. Submissions must be in writing and directed to: Rules Administrator, Illinois Department of Mental Health and Developmental Disabilities, 402 Stratton Building, Springfield, IL 62765, telephone (217)785-3313.

12) Initial Regulatory Flexibility Analysis: This rulemaking does not impact small businesses.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF MENTAL HEALTH AND
DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

TITLE 59: MENTAL HEALTH
CHAPTER I: DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

PART 112
TREATMENT AND HABILITATION SERVICES

Section
112.10 Utilization review hearings
112.20 Admission, treatment and habilitation of mentally retarded persons
112.30 Recipient physical and dental examinations and informed consent for services
112.40 Release and burial of deceased recipients
112.50 Tuberculosis control program (Repealed)
112.70 Protection of human subjects
112.80 Use of narcotics and psychotropic drugs in Department facilities
112.90 Administration of psychotropic drugs

AUTHORITY: Implementing Sections 2-102, 2-107.1, 2-107.2, 3-207, 3-405, 3-903, 3-910, 4-209, 4-312, 4-704 and 4-709 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. ~~1987~~ 1989 and 1990 Supp., as amended by P.A. 86-124, effective August 13, 1991, ch. 91½, pars. 3-207, 3-405, 3-903, 3-910, 4-209, 4-312, 4-704 and 4-709) and Sections 5.1 and 7 of ~~"AN ACT codifying the powers and duties of~~ the Department of Mental Health and Developmental Disabilities" Act (Ill. Rev. Stat. ~~1987~~ 1990 Supp., ch. 91½, pars. 100-5.1 and 100-7) and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. ~~1987~~ 1989, ch. 91½, par. 5-104) and Section 5 of ~~"AN ACT codifying the powers and duties of~~ the Department of Mental Health and Developmental Disabilities" Act (Ill. Rev. Stat. ~~1987~~ 1990 Supp., ch. 91½, par. 100-5).

SOURCE: Release and Burial of Deceased Patients adopted at October 1, 1969; Tuberculosis Control Program adopted at May 28, 1975; Protection of Human Subjects adopted at October 2, 1973; Use of Narcotics and Psychotropic Drugs in Department Facilities adopted at July 1, 1974; amended at 3 Ill. Reg. 28, p. 90, effective July 16, 1979; amended at 4 Ill. Reg. 17, p. 234, effective April 15, 1980; Administration of Psychotropic Drugs adopted at June 14, 1974; amended at 3 Ill. Reg. 28, p. 100, effective July 16, 1979; amended at 4 Ill. Reg. 17, p. 234, effective April 15, 1980; rules merged and codified at 5 Ill. Reg. 10725; amended at 9 Ill. Reg. 12785, effective August 1, 1985; amended at 10 Ill. Reg. 11894, effective July 1, 1986; amended at 13 Ill. Reg. 20344 effective December 19, 1989~~.~~; amended at 16 Ill. Reg. _____ effective _____.

NOTE: Bold-face type denotes statutory language.

DEPARTMENT OF MENTAL HEALTH AND
DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

Section 112.90 Administration of psychotropic drugs

This Section addresses the initiation of drug treatment with psychotropic drugs (as defined in Section 112.80(a)) in the newly admitted recipient and the on-going monitoring of drug treatment thereafter. Each Department facility shall establish procedures consistent with this Section, in accordance with professional practice requirements~~;~~ ~~Departmental directives;~~ and with the facility's organization, resources, and clinical population. Professional practice means those practices which a licensed physician (Medical Practice Act of 1987 (Ill. Rev. Stat. ~~1983~~ 1989, ch. 111, pars. ~~4401~~ 4400-1 et seq.)) would use when exercising his~~/~~ or her professional clinical judgment in prescribing medication and which a licensed registered nurse or licensed practical nurse (The Illinois Nursing Act of 1987 (Ill. Rev. Stat. ~~1983~~ 1989, ch. 111, pars. 3~~4~~501 et seq.)) would use when exercising his~~/~~or her professional clinical judgment in administering medication.

a) Initiation of drug treatment

~~1) All recipients shall receive a medical history, physical examination and either a psychiatric or, in the case of developmentally disabled recipients, a psychological examination within 24 hours of their admission to a Department facility and those laboratory tests determined by a licensed physician, when exercising his/her professional clinical judgment in administering medication, shall be ordered.~~

~~2) No medication shall be prescribed for a recipient unless:~~

~~A) A medical, physical, and either a psychiatric or, in the case of developmentally disabled recipient, a psychological examination of the recipient has been conducted and documented in the recipient's medical record. The prescribing physician shall conduct the examinations personally, or shall review the record of the examinations. The prescribing physician shall record and sign the prescription, and shall also record in the recipient's medical record the recipient's mental status (as defined in The American Psychiatric Association's Psychiatric Glossary, 5th Edition, Washington, D.C., 1980), the intended effects of the prescribed medication, and other pertinent information, such as the relationship of the drug therapy to other forms of treatment or habilitation and potential interaction with any other medication being delivered to the recipient, or~~

DEPARTMENT OF MENTAL HEALTH AND
DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

1) No medication shall be prescribed for a recipient unless examinations have been conducted in accordance with Section 112.30(a). The prescribing physician shall conduct the examinations personally, or shall review the record of the examinations. The prescribing physician shall record and sign the prescription, and shall also record in the recipient's medical record the recipient's mental status (as defined in the Diagnostic and Statistical Manual of Mental Disorders, Third Edition, revised (DSM-III-R, American Psychiatric Association, 1987, with no later amendments or editions), the intended effects of the prescribed medication, and other pertinent information, such as the relationship of the drug therapy to other forms of treatment or habilitation and potential interaction with any other medication being delivered to the recipient, or

2) ~~B)~~ The prescribing physician has determined by personal observation that the recipient is in need of immediate medication in order to prevent physical harm to himself ~~/~~ or herself or others, and shall so document this in the recipient's medical record, or

3) ~~C)~~ The prescribing physician cannot immediately examine the recipient in person, but has determined, based on a description of the recipient's behavior, other medications, and known medical problems, that immediate administration of psychotropic medication is in the recipient's best interest in order to prevent physical harm to himself~~/~~ or herself or others. The prescribing physician shall document this determination in the recipient's medical record within 48 hours of prescribing medication.

~~3)~~ 4) The prescribing physician may verbally (including by telephone) authorize the administration of medication. The prescribing physician shall dictate the oral medication order to a registered nurse pursuant to the Illinois Nursing Act of 1987 ~~(Ill. Rev. Stat. 1983, ch. 111, pars. 3401 et seq.)~~ and shall sign the order within 24 hours. In each case, within 48 hours of any oral authorization, the prescribing physician shall also enter a progress note in the recipient's medical record that states:

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A) The reasons for prescribing the psychotropic medication, including the information given by the person requesting the prescription;

B) The medication's intended effect, and

C) The reason the medication order was given verbally, rather than after personal examination of the recipient.

~~4)~~ 5) Whenever medication is administered pursuant to a verbal order, the registered or licensed practical nurse who administers the drug shall immediately enter in the recipient's medical record a detailed description of the recipient's behavior prior to the administration of the drug and of the circumstances which in ~~his/~~ her opinion required the administration.

6) **The physician shall advise the recipient, in writing, of the side effects of the medication to the extent such advice is consistent with the nature and frequency of the side effects and the recipient's ability to understand the information communicated. Any recipient shall be advised, in writing, of his or her right to refuse such services** pursuant to Section 2-102 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1989, ch. 91½, par. 2-102). The physician, at his or her discretion, may use pre-printed descriptions of side effects. The amount and type of information regarding the nature and frequency of side effects of psychotropic medications provided to the recipient shall be consistent with the ability of the recipient to understand the information as determined by the physician.

~~5)~~ 7) Psychotropic drugs shall be prescribed for specific doses and time, not to exceed 30 calendar days.

b) Ongoing monitoring of drug treatment

1) The attending physician shall review as often as the recipient's clinical condition warrants, but no less often than **once per month** every 30 calendar days, through personal examination of the recipient~~,~~ **and/or** or the recipient's medical record, **and/or** or staff conferences, the results of medication administered including both beneficial effects and side effects.

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2) The attending physician shall document the status of the recipient's condition in the recipient's medical record as often as the recipient's clinical condition warrants, but no less often than **once per month** every 30 calendar days. Documentation of the rationale for the dose of medication shall be included in the progress notes **and/or** or the treatment or habilitation plans no less often than **once per month** every 30 calendar days. Significant side effects, that is, those side effects of medications determined by a licensed physician, when exercising ~~his/~~ or her professional clinical judgment, to be severe, dangerous, **and/or** or annoying for the recipient, (or their absence) shall be noted in the recipient's medical record.

3) Facility staff shall document in the recipient's medical record additional medical, psychiatric, psychological, and social history and psychiatric, psychological and physical findings and laboratory results as this information becomes available.

4) **Whenever a recipient has received psychotropic medication continuously or on a regular basis for 90 calendar days, and if medication is continued, every 180 calendar days thereafter, for so long as the medication shall continue, the facility director shall convene a committee to review the medication treatment.** (Section 2-107.2 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1990 Supp., ch. 91½, par. 2-107.2)).

A) The committee shall consist of at least three individuals, who shall represent at least two different professional clinical disciplines trained and equipped to deal with the recipient's treatment needs (for mentally ill recipients), habilitation needs (for recipients with developmental disabilities) or both types of needs for those recipients dually diagnosed. Clinical disciplines include psychiatry, psychology, medicine, nursing, and social work. At least one committee member shall be a physician with expertise in the use of psychotropic medications (e.g., psychiatrist, behavioral neurologist). No member of the committee shall have been directly involved with the treatment of the recipient whose care is being reviewed.

B) The committee shall use whatever information it deems necessary to reach a decision concerning the suitability of continuing treatment with psychotropic

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medication, including reviewing the recipient's medical records, meeting with the treatment team and discussing the matter with the recipient, his or her guardian or parent. The recipient, and his or her guardian (if the recipient is under guardianship) or parent (if the recipient is a minor) shall be invited to discuss the recipient's need and desire for continued medication with the committee. If the recipient is an adult not under guardianship and a clinical assessment of the recipient's intellectual and emotional capabilities puts in doubt the recipient's ability to give informed consent to medication, in accordance with Section 112.30(d), the facility shall make timely efforts to obtain guardianship of the person.

C) If, during the course of the review, the recipient advises the committee that he or she no longer agrees to continue receiving the medication, the medication shall be discontinued. If the recipient agrees to the medication, medication shall be continued if the committee determines that the recipient is receiving appropriate medication and that the benefit to the recipient outweighs any risk of harm to the recipient. (Section 2-107.2 of the Mental Health and Developmental Disabilities Code)

D) If the committee unanimously agrees, medication shall be continued. If the committee's decision to continue medication is not unanimous, the facility director or the Associate Director for Clinical Services (if the facility director was involved in the treatment or the committee) shall review the case and make a determination based on the criteria in subsection (c).

E) The participation of the recipient and guardian or parent and the decision of the committee shall be recorded in the recipient's medical record.

F) The recipient's response to medication shall be monitored and shall be evaluated by the committee using the procedure in this Section no less than every 180 calendar days.

c) Court-ordered administration of psychotropic medication

Psychotropic medication may be administered to a recipient against his or her will under the following standards and procedures: (Section 2-107.1 of the Mental Health and Developmental

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Disabilities Code (added by P.A. 86-124, effective August 13, 1991)).

1) Any person 18 years of age or older, including any guardian, may petition the circuit court for an order authorizing the administration of psychotropic medication to a recipient.

2) The court shall hold a hearing within 30 calendar days of the filing of the petition.

3) Unless otherwise provided herein, the procedures set forth in Article VIII of Chapter 3 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1989, ch. 91½, par. 3-100 et seq.), including the provisions regarding appointment of counsel, shall govern hearings held under this Section.

4) Psychotropic medication shall not be administered to the recipient unless it has been determined by clear and convincing evidence that all of the following factors are present:

A) That the recipient has a serious mental illness or developmental disability.

B) That because of said mental illness or developmental disability, the recipient exhibits deterioration of his ability to function, suffering, or threatening or disruptive behavior.

C) That the illness or disability has existed for a period marked by the continuing presence of the symptoms set forth in subsection (B) above or the repeated episodic occurrence of these symptoms.

D) That the benefits of the psychotropic medication will outweigh the harm.

E) That the recipient lacks the capacity to make a reasoned decision about the medication.

F) That other less restrictive services have been explored and found inappropriate.

5) In no event shall a court order be effective for more than 90 calendar days. However, psychotropic medication may be administered for additional 90-day periods without limitation

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under hearings that comply with the above standards and procedures of this Section.

6) The court order shall designate the persons authorized to administer the psychotropic medication under this subsection.

7) A guardian shall only be authorized to consent to the administration of psychotropic medication under this subsection.

8) Nothing in this subsection shall prevent the administration of psychotropic medication to recipients in an emergency under subsection (a) of this Section.

~~e)~~ d) ~~Reduction of the risk of tardive dyskinesia~~ Restriction of use of antipsychotic drugs

1) Use of antipsychotic drugs shall be restricted to the treatment of psychotic disorders, including schizophrenic disorders, paranoid disorders, schizophreniform disorders, brief reactive psychosis, atypical psychosis, manic episode, major depressive episode with psychotic features, infantile autism and toxic or organic psychosis, Tourette's disorders, and severe behavioral disturbance in a recipient having a developmental disability. Use in any other conditions shall be specially justified in the recipient's medical record.

2) Use of antipsychotic drugs for more than six months shall be prescribed only when a continuing response can be shown, or when exacerbation occurs or has occurred upon cessation of medication.

~~3) Whenever a recipient has received antipsychotic medication continuously for three months the recipient or, if the recipient is under guardianship, the guardian, or, if the recipient is a minor, the recipient's parent or guardian, shall participate in the decision regarding continuation of the recipient's medication based on the need to balance the risk of tardive dyskinesia with the risk of continuing in, exacerbating, or developing a psychotic state, Tourette's symptoms or severe behavioral disturbance in a recipient having a developmental disability. If the recipient is an adult not under guardianship, and a clinical assessment of the recipient's intellectual and emotional capabilities puts in doubt the recipient's ability to meaningfully participate in this decision process, timely efforts shall be undertaken to obtain guardianship. The participation of the recipient, guardian, or parent and the decision regarding continuation~~

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~~of medication shall be recorded in the recipient's medical record. The recipient's response to medication shall be monitored and shall be re-evaluated with the participation of the recipient, guardian or parent at no less than six month intervals, and this re-evaluation and participation shall be recorded in the recipient's medical record.~~

(Source: Amended at 16 Ill. Reg. _____, effective _____)

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1) The Heading of the Part: Definitions and General Provisions

2) Code Citation: 35 Ill. Adm. Code 211

3)

Section Number:	Proposed Action:
211.101	amend
211.122	amend

4) Statutory Authority: Illinois Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½, pars. 1010, 1027, and 1028.2.)

5) A Complete Description of the Subjects and Issues Involved: This proposal, filed with the Board by the Illinois Environmental Protection Agency (Agency), is intended to regulate particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (known as PM-10). The proposal would regulate the McCook and Lake Calumet areas of Cook County, Illinois, and the Granite City area of Madison County, Illinois. This rulemaking is required by the federal Clean Air Act Amendments of 1990. The Agency has certified that this rulemaking is a "required rule" pursuant to Section 28.2 of the Environmental Protection Act (Ill.Rev.Stat. 1989, ch. 111 1/2, par. 1028.2, as amended by P.A. 86-1409, effective January 1, 1991), and the Board has accepted that certification. The proposed amendments to Part 211 simply add several definitions and an incorporation by reference.

Additionally, the Board notes that it published notice of proposed amendments to this Part on September 20, 1991, at 15 Ill.Reg. 13627. The proposed amendments in this notice supersede that proposal. The Board will publish a notice of withdrawal of that September 20 proposal.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date?
___ Yes __X__ No

8) Does this proposed (amendment, repealer) contain incorporations by reference? Yes.

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9) Are there any other amendments pending on this Part?
Yes.

Section Number:	Proposed Action:	Ill.Reg. Citation
211.101	amend	15 Ill.Reg. 13627 (Sept. 20, 1991)
211.122	amend	15 Ill.Reg. 13627 (Sept. 20, 1991)

10) Statement of Statewide Policy Objective (if applicable)?

These proposed rules do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act (Ill.Rev.Stat. 1989, ch. 85, par. 2203(b)).

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Send written comments concerning this rulemaking within 45 days of publication in the Illinois Register to Dorothy M. Gunn, Clerk, Illinois Pollution Control Board, 100 West Randloph Street, Suite 11-500, Chicago, IL 60601. Please include the docket number of this rulemaking (R91-22) on all comments. Please send copies of all comments to:

William Denham
Dept. of Energy and
Natural Resources
325 West Adams, Room 300
Springfield, IL 62706

Julia Gentile
Illinois Environmental
Protection Agency
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276

12) Initial Regulatory Flexibility Analysis (if applicable):

A) Date rule submitted to Business Assistance Office of the Department of Commerce and Community Affairs:
August 26, 1991 and October 28, 1991.

B) Types of small businesses affected: Based upon information supplied by the Agency (the proponent of these amendments), the Board does not believe that this proposal affects small businesses.

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C) Reporting, bookkeeping or other procedures required for compliance: None.

D) Types of professional skills necessary for compliance: None.

The full text of the proposed amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 211
DEFINITIONS AND GENERAL PROVISIONS

SUBPART A: GENERAL PROVISIONS

Section
211.101 Incorporations by Reference
211.102 Abbreviations and Units

SUBPART B: DEFINITIONS

Section
211.121 Other Definitions
211.122 Definitions

211.Appendix A Rule into Section Table
211.Appendix B Section into Rule Table

AUTHORITY: Implementing Sections 9, 9.1 and 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½, pars. 1009, 1010 and 1027).

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R 89-16(A) at 14

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Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill.Reg. 15564, effective October 11, 1991; amended in R91-22 at 15 Ill.Reg. _____, effective _____.

Section 211.101 Incorporations by Reference

The following materials are incorporated by reference. These incorporations do not include any later amendments or editions.

a) "Evaporation Loss from Floating Roof Tanks," American Petroleum Institute Bulletin 2517, 1962

b) Ringelmann Chart, Information Circular 833 (Revision of 1C7718), Bureau of Mines, U.S. Department of Interior, May 1, 1967

c) Standard Industrial Classification Manual, Superintendent of Documents, Washington, D.C. 20402, 1972

d) American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103

A.S.T.M. D-86
A.S.T.M. D-240-64
A.S.T.M. D-323
A.S.T.M. D-369-69 (1971)
A.S.T.M. D-396-69
A.S.T.M. D-900-55
A.S.T.M. D-975-68
A.S.T.M. D-1826-64
A.S.T.M. D-2015-66
A.S.T.M. D-2880-71

e) 40 CFR 51.100 (1987)

(Source: Amended at 15 Ill.Reg. _____, effective _____.)

Section 211.122 Definitions

"Accelacota": a pharmaceutical coating operation which consists of a horizontally rotating perforated drum in which tablets are placed, a coating is applied by spraying and the coating is dried by the flow of air across the drum through the perforations.

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"Accumulator": The reservoir of a condensing unit receiving the condensate from a surface condenser.

"Acid Gases": For the purposes of Section 9.4 of the Environmental Protection Act (the Act) (Ill. Rev. Stat. 1989, ch. 111 ½, par. 1009.4), hydrogen chloride, hydrogen fluoride and hydrogen bromide, which exist as gases, liquid mist, or any combination thereof.

"Actual Heat Input": The quantity of heat produced by the combustion of fuel using the gross heating value of the fuel.

"Aeration": The practice of forcing air through bulk stored grain to maintain the condition of the grain.

"Afterburner": A device in which materials in gaseous effluents are combusted.

"Air Dried Coating": Coatings that dry by the use of air or forced air at temperatures up to 363.15° K (194° F).

"Air suspension coater/dryer": a pharmaceutical coating operation which consists of vertical chambers in which tablets or particles are placed, and a coating is applied and then dried while the tablets or particles are kept in a fluidized state by the passage of air upward through the chambers.

"Annual Grain Through-Put": Unless otherwise shown by the owner or operator, annual grain through-put for grain-handling operations, which have been in operation for three consecutive years prior to June 30, 1975, shall be determined by adding grain receipts and shipments for the three previous fiscal years and dividing the total by 6. The annual grain through-put for grain-handling operations in operation for less than three consecutive years prior to June 30, 1975, shall be determined by a reasonable three-year estimate; the owner or operator shall document the reasonableness of his three-year estimate.

"Architectural Coating": Any coating used for residential or commercial buildings or their appurtenances, or for industrial buildings which is site applied.

"Asphalt": The dark-brown to black cementitious material (solid, semisolid or liquid in consistency) of which the main constituents are bitumens which occur naturally or as a residue of petroleum refining.

"Asphalt Prime Coat": A low-viscosity liquid asphalt applied to an absorbent surface as the first of more than one asphalt coat.

"Automobile": Any first division motor vehicle as that term is defined in the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95½, pars 1-100 et seq.).

"Automobile or Light-Duty Truck Manufacturing Plant": A facility where parts are manufactured or finished for eventual inclusion into a finished automobile or light-duty truck ready for sale to vehicle dealers, but not including customizers, body shops and other repainters.

"Batch Loading": The process of loading a number of individual parts at the same time for degreasing.

"Bead-Dipping": The dipping of an assembled tire bead into a solvent-based cement.

"British Thermal Unit": The quantity of heat required to raise one pound of water from 60° F to 61° F (abbreviated btu).

"Bulk Gasoline Plant": Any gasoline storage and distribution facility that receives gasoline from bulk gasoline terminals by delivery vessels and distributes gasoline to gasoline dispensing facilities.

"Bulk Gasoline Terminal": Any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, and distributes gasoline to bulk gasoline plants or gasoline dispensing facilities.

"Can Coating": The application of a coating material to a single walled container that is manufactured from metal sheets thinner than 29 gauge (0.0141 in).

"Certified Investigation": A report signed by Illinois Environmental Protection Agency (Agency) personnel certifying whether a grain-handling operation (or portion

thereof) or grain-drying operation is causing or tending to cause air pollution. Such report must describe the signatory's investigation, including a summary of those facts on which he relies to certify whether the grain-handling or grain-drying operation is causing or threatening or allowing the discharge or emission of any contaminant into the environment so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board (Board) under the Environmental Protection Act (Act). The certified investigation shall be open to a reasonable public inspection and may be copied upon payment of the actual cost of reproducing the original.

"Choke Loading": That method of transferring grain from the grain-handling operation to any vehicle for shipment or delivery which precludes a free fall velocity of grain from a discharge spout into the receiving container.

"Cleaning and Separating Operation": That operation where foreign and undesired substances are removed from the grain.

"Clear Coating": Coatings that lack color and opacity or are transparent using the undercoat as a reflectant base or undertone color.

"Closed Purge System": A system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow inducing devices that transport liquid or vapor from a piece or pieces of equipment to a control device, or return the liquid or vapor to the process line.

"Closed Vent System": A system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow inducing devices that transport gas or vapor from a piece or pieces of equipment to a control device, or return the gas or vapor to the process line.

"Coal Refuse": Waste products of coal mining, cleaning and coal preparation operations containing coal, matrix material, clay and other organic and inorganic material.

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"Coating": For purposes of this Part, a coating includes a material applied to a substrate for decorative, protective or other functional purposes. Such material shall include but not be limited to paints, varnishes, sealers, adhesives, diluents and thinners.

"Coating Applicator": Equipment used to apply a surface coating.

"Coating Line": An operation where a surface coating is applied to a material and subsequently the coating is dried and/or cured.

"Coating Plant": Any building, structure or installation that contains a coating line and which is located on one or more contiguous or adjacent properties and which is owned or operated by the same person (or by persons under common control).

"Coil Coating": The application of a coating material to any flat metal sheet or strip that comes in rolls or coils.

"Cold Cleaning": The process of cleaning and removing soils from surfaces by spraying, brushing, flushing or immersion while maintaining the organic solvent below its boiling point. Wipe cleaning is not included in this definition.

"Complete Combustion": A process in which all carbon contained in a fuel or gas stream is converted to carbon dioxide.

"Component": Any piece of equipment which has the potential to leak volatile organic material including, but not limited to, pump seals, compressor seals, seal oil degassing vents, pipeline valves, pressure relief devices, process drains and open ended valves. This definition excludes valves which are not externally regulated, flanges, and equipment in heavy liquid service. For purposes of 35 Ill. Adm. Code 215.Subpart Q, this definition also excludes bleed ports of gear pumps in polymer service.

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"Concentrated Nitric Acid Manufacturing Process": Any acid producing facility manufacturing nitric acid with a concentration equal to or greater than 70 percent by weight.

"Condensate": Hydrocarbon liquid separated from its associated gasses which condenses due to changes in the temperature or pressure and remains liquid at standard conditions.

"Condensible PM-10": PM-10 formed immediately or shortly after discharge to the atmosphere, as measured by the applicable test method specified in 35 Ill. Adm. Code 212.110. Condensible particulate matter exists in gaseous and/or vapor form prior to release to the atmosphere, e.g, in the stack, and forms particulate matter upon condensation when subject to conditions of cooling and dilution in the atmosphere.

"Control Device": Equipment, such as an afterburner, adsorber, scrubber, condenser, cyclone or baghouse used to remove or prevent the emission of air pollutants from a contaminated exhaust stream. For purposes of 35 Ill. Adm. Code 215, Subpart Q, an enclosed combustion device, vapor recovery system, flare, or closed container.

"Conveyorized Degreasing": The continuous process of cleaning and removing soils from surfaces utilizing either cold or vaporized solvents.

"Crude Oil": A naturally occurring mixture which consists of hydrocarbons and sulfur, nitrogen or oxygen derivatives of hydrocarbons and which is a liquid at standard conditions.

"Crude Oil Gathering": The transportation of crude oil or condensate after custody transfer between a production facility and a reception point.

"Crushing": The fragmentation of non-metallic minerals by a machine such as a jaw, gyratory, cone, roll, rod, mill, hammermill, and impactor.

"Custody Transfer": The transfer of produced petroleum and/or condensate after processing and/or treating in the producing operations, from storage tanks or automatic

transfer facilities to pipelines or any other forms of transportation.

"Cutback Asphalt": Any asphalt which has been liquified by blending with petroleum solvents other than residual fuel oil and has not been emulsified with water.

"Degreaser": Any equipment or system used in solvent cleaning.

"Delivery Vessel": Any tank truck or trailer equipped with a storage tank that is used for the transport of gasoline to a stationary storage tank at a gasoline dispensing facility, bulk gasoline plant or bulk gasoline terminal.

"Distillate Fuel Oil": Fuel oils of grade No. 1 or 2 as specified in detailed requirements for fuel oil A.S.T.M. D-369-69 (1971).

"Dry Cleaning Facility": A facility engaged in the cleaning of fabrics using an essentially nonaqueous solvent by means of one or more solvent washes, extraction of excess solvent by spinning and drying by tumbling in an airstream. The facility includes, but is not limited to, washers, dryers, filter and purification systems, waste disposal systems, holding tanks, pumps and attendant piping and valves.

"Dump-Pit Area": Any area where grain is received at a grain-handling or grain-drying operation.

"Effective Grate Area": That area of a dump-pit grate through which air passes, or would pass, when aspirated.

"Effluent Water Separator": Any tank, box, sump or other apparatus in which any organic material floating on or entrained or contained in water entering such tank, box, sump or other apparatus is physically separated and removed from such water prior to outfall, drainage or recovery of such water.

"Emission Rate": Total quantity of any air contaminant discharge into the atmosphere in any one-hour period.

"Enclose": with respect to 35 Ill. Adm. Code 215.Subpart T, to cover any volatile organic liquid surface that is exposed to the atmosphere.

"End Sealing Compound Coat": A compound applied to can ends which functions as a gasket when the end is assembled on the can.

"Excess Air": Air supplied in addition to the theoretical quantity necessary for complete combustion of all fuel and/or combustible waste material.

"Excessive Release": A discharge of more than 295g (0.65 pounds) of mercaptans or hydrogen sulfide into the atmosphere in any five minute period.

"Existing Grain-Drying Operation": Any grain-drying operation the construction or modification of which was commenced prior to June 30, 1975.

"Existing Grain-Handling Operation": Any grain-handling operation the construction or modification of which was commenced prior to June 30, 1975.

"Exterior Base Coat": An initial coating applied to the exterior of a can after the can body has been formed.

"Exterior End Coat": A coating applied by rollers or spraying to the exterior end of a can.

"External Floating Roof": A storage vessel cover in an open top tank consisting of a double deck or pontoon single deck which is supported by the petroleum liquid being contained and is equipped with a closure seal between the deck edge and tank wall.

"Extreme Performance Coating": Coatings designed for exposure to any of the following: the ambient weather conditions, temperatures above 368.15° K (203° F), detergents, abrasive and scouring agents, solvents, corrosive atmospheres, or other similar extreme environmental conditions.

"Fabric Coating": The coating of a textile substrate including operations where the coating impregnates the substrate.

"Final Repair Coat": The repainting of any coating which is damaged during vehicle assembly.

"Firebox": The chamber or compartment of a boiler or furnace in which materials are burned, but not the combustion chamber or afterburner of an incinerator.

"Flexographic Printing": The application of words, designs and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of elastomeric materials.

"Floating Roof": A roof on a stationary tank, reservoir or other container which moves vertically upon change in volume of the stored material.

"Freeboard Height": For open top vapor degreasers, the distance from the top of the vapor zone to the top of the degreaser tank. For cold cleaning degreasers, the distance from the solvent to the top of the degreaser tank.

"Fuel Combustion Emission Source": Any furnace, boiler or similar equipment used for the primary purpose of producing heat or power by indirect heat transfer.

"Fuel Gas System": A system for collection of refinery fuel gas including, but not limited to, piping for collecting tail gas from various process units, mixing drums and controls and distribution piping.

"Fugitive Particulate Matter": Any particulate matter emitted into the atmosphere other than through a stack, provided that nothing in this definition or in 35 Ill. Adm. Code 212.Subpart K shall exempt any source from compliance with other provisions of 35 Ill. Adm. Code 212 otherwise applicable merely because of the absence of a stack.

"Gas Service": Means that the component contains process fluid that is in the gaseous state at operating conditions.

"Gasoline": Any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

"Gasoline Dispensing Facility": Any site where gasoline is transferred from a stationary storage tank to a motor vehicle gasoline tank used to provide fuel to the engine of that motor vehicle.

"Grain": The whole kernel or seed of corn, wheat, oats, soybeans and any other cereal or oil seed plant; and the normal fines, dust and foreign matter which results from harvesting, handling or conditioning. The grain shall be unaltered by grinding or processing.

"Grain-Drying Operation": Any operation, excluding aeration, by which moisture is removed from grain and which typically uses forced ventilation with the addition of heat.

"Grain-Handling and Conditioning Operation": A grain storage facility and its associate grain transfer, cleaning, drying, grinding and mixing operations.

"Grain-Handling Operation": Any operation where one or more of the following grain-related processes (other than grain-drying operation, portable grain-handling equipment, one-turn storage space, and excluding flour mills and feed mills) are performed: receiving, shipping, transferring, storing, mixing or treating of grain or other processes pursuant to normal grain operations.

"Green Tire Spraying": The spraying of green tires, both inside and outside, with release compounds which help remove air from the tire during molding and prevent the tire from sticking to the mold after curing.

"Green Tires": Assembled tires before molding and curing have occurred.

"Gross Heating Value": Amount of heat produced when a unit quantity of fuel is burned to carbon dioxide and water vapor, and the water vapor condensed as described in A.S.T.M. D-2015-66, D-900-55, D-1826-64 and D-240-64.

"Heavy Liquid": Liquid with a true vapor pressure of less than 0.3 kPa (0.04 psi) at 294.3° K (70° F) or 0.1 Reid

Vapor Pressure as determined by A.S.T.M. method D-323; or which when distilled requires a temperature of 300° F or greater to recover 10% of the liquid as determined by A.S.T.M. method D-86.

"Heavy Metals": For the purposes of Section 9.4 of the Act, elemental, ionic, or combined forms of arsenic, cadmium, mercury, chromium, nickel and lead.

"Heavy, Off-Highway Vehicle Products": For the purposes of Section 215.204(k), heavy off-highway vehicle products shall include: heavy construction, mining, farming or material handling equipment; heavy industrial engines; diesel-electric locomotives and associated power generation equipment; and the components of such equipment or engines.

"Hot Well": The reservoir of a condensing unit receiving the condensate from a barometric condenser.

"Housekeeping Practices": Those activities specifically defined in the list of housekeeping practices developed by the Joint EPA - Industry Task Force and included herein under 35 Ill. Adm. Code 212.461.

"Incinerator": Combustion apparatus in which refuse is burned.

"Indirect Heat Transfer": Transfer of heat in such a way that the source of heat does not come into direct contact with process materials.

"In-Process Tank": A container used for mixing, blending, heating, reacting, holding, crystallizing, evaporating, or cleaning operations in the manufacture of pharmaceuticals.

"In-situ Sampling Systems": Nonextractive samplers or in-line samplers.

"Interior Body Spray Coat": A coating applied by spray to the interior of a can after the can body has been formed.

"Internal Transferring Area": Areas and associated equipment used for conveying grain among the various grain operations.

"Large Appliance Coating": The application of a coating material to the component metal parts (including but not limited to doors, cases, lids, panels and interior support parts) of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners and other similar products.

"Light-Duty Truck": Any second division motor vehicle, as that term is defined in the Illinois Vehicle Code, (Ill. Rev. Stat. 1989, ch. 95½, pars. 1-100 et seq.) weighing less than 3854 kilograms (8500 pounds) gross.

"Liquid-Mounted Seal": A primary seal mounted in continuous contact with the liquid between the tank wall and the floating roof edge around the circumference of the roof.

"Liquid Service": Means that the equipment or component contains process fluid that is in a liquid state at operating conditions.

"Liquids Dripping": Any visible leaking from a seal including spraying, misting, clouding and ice formation.

"Load-Out Area": Any area where grain is transferred from the grain-handling operation to any vehicle for shipment or delivery.

"Low Solvent Coating": A coating which contains less organic solvent than the conventional coatings used by the industry. Low solvent coatings include water-borne, higher solids, electro-deposition and powder coatings.

"Magnet Wire Coating": The application of a coating of electrically insulating varnish or enamel to conducting wire to be used in electrical machinery.

"Major Dump Pit": Any dump pit with an annual grain through-put of more than 300,000 bushels, or which receives more than 40% of the annual grain through-put of the grain-handling operation.

"Major Metropolitan Area (MMA)": Any county or group of counties which is defined by the following Table:

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MAJOR METROPOLITAN AREAS IN ILLINOIS (MMA's)

MMA	COUNTIES INCLUDED IN MMA
Champaign-Urbana	Champaign
Chicago	Cook, Lake, Will, DuPage, McHenry, Kane, Grundy, Kendall, Kankakee
Decatur	Macon
Peoria	Peoria, Tazewell
Rockford	Winnebago
Rock Island -- Moline	Rock Island
Springfield	Sangamon
St. Louis (Illinois)	St. Clair, Madison
Bloomington -- Normal	McLean

"Major Population Area (MPA)": Areas of major population concentration in Illinois, as described below:

The area within the counties of Cook; Lake; DuPage; Will; the townships of Burton, Richmond, McHenry, Greenwood, Nunda, Door, Algonquin, Grafton and the municipality of Woodstock, plus a zone extending two miles beyond the boundary of said municipality located in McHenry County; the townships of Dundee, Rutland, Elgin, Plano, St. Charles, Campton, Geneva, Blackberry, Batavia, Sugar Creek and Aurora located in Kane County; and the municipalities of Kankakee, Bradley and Bourbonnais, plus a zone extending two miles beyond the boundaries of said municipalities in Kankakee County.

The area within the municipalities of Rockford and Loves Park, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Rock Island, Moline, East Moline, Carbon Cliff, Milan, Oak Grove, Silvis, Hampton, Greenwood and Coal Valley, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Galesburg and East Galesburg, plus a zone extending two miles beyond the boundaries of said municipalities.

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The area within the municipalities of Bartonville, Peoria and Peoria Heights, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Pekin, North Pekin, Marquette Heights, Creve Coeur and East Peoria, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Bloomington and Normal, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Champaign, Urbana and Savoy, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Decatur, Mt. Zion, Harristown and Forsyth, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Springfield, Leland Grove, Jerome, Southern View, Grandview, Sherman and Chatham, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the townships of Godfrey, Foster, Wood River, Fort Russell, Chouteau, Edwardsville, Venice, Nameoki, Alton, Granite City and Collinsville located in Madison County; and the townships of Stites, Canteen, Centreville, Caseyville, St. Clair, Sugar Loaf and Stookey located in St. Clair County.

"Manufacturing Process": A process emission source or series of process emission sources used to convert raw materials, feed stocks, subassemblies or other components into a product, either for sale or for use as a component in a subsequent manufacturing process.

"Marine Terminal": A facility primarily engaged in loading and unloading watercraft.

"Metal Furniture Coating": The application of a coating material to any furniture piece made of metal or any metal part which is or will be assembled with other metal, wood,

fabric, plastic or glass parts to form a furniture piece including, but not limited to, tables, chairs, wastebaskets, beds, desks, lockers, benches, shelving, file cabinets, lamps and room dividers. This definition shall not apply to any coating line coating metal parts or products that is identified under the Standard Industrial Classification Code for Major Groups 33, 34, 35, 36, 37, 38, 39, 40 or 41.

"Miscellaneous Fabricated Product Manufacturing Process":

A manufacturing process involving one or more of the following applications, including any drying and curing of formulations, and capable of emitting volatile organic material:

Adhesives to fabricate or assemble non-furniture components or products

Asphalt solutions to paper or fiberboard

Asphalt to paper or felt

Coatings or dye to leather

Coatings to plastic

Coatings to rubber or glass

Curing of furniture adhesives in an oven which would emit in excess of 10 tons of volatile organic material per year if no air pollution control equipment were used

Disinfectant material to manufactured items

Plastic foam scrap or "fluff" from the manufacture of foam containers and packaging material to form resin pellets

Resin solutions to fiber substances

Rubber solutions to molds

Viscose solutions for food casings

The storage and handling of formulations associated with the process described above.

The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

"Miscellaneous Formulation Manufacturing Process":

A manufacturing process which compounds one or more of the following and is capable of emitting volatile organic material:

Adhesives

Asphalt solutions

Caulks, sealants or waterproofing agents

Coatings, other than paint and ink

Concrete curing compounds

Dyes

Friction materials and compounds

Resin solutions

Rubber solutions

Viscose solutions

The storage and handling of formulations associated with the process described above.

The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

"Miscellaneous Metal Parts and Products": For the purpose of 35 Ill. Adm. Code 215.204, miscellaneous metal parts and products shall include farm machinery, garden machinery, small appliances, commercial machinery, industrial machinery, fabricated metal products and any other industrial category which coats metal parts or

products under the Standard Industrial Classification Code for Major Groups 33, 34, 35, 36, 37, 38 or 39 with the exception of the following: coating lines subject to 35 Ill. Adm. Code 215.204(a) through (i) and (k), automobile or light-duty truck refinishing, the exterior of marine vessels and the customized top coating of automobiles and trucks if production is less than thirty-five vehicles per day.

"Miscellaneous Organic Chemical Manufacturing Process":

A manufacturing process which produces by chemical reaction, one or more of the following organic compounds or mixtures of organic compounds and which is capable of emitting volatile organic materials:

Chemicals listed in 35 Ill. Adm. Code 215. Appendix D.

Chlorinated and sulfonated compounds

Cosmetic, detergent, soap or surfactant intermediaries or specialties and products

Disinfectants

Food additives

Oil and petroleum product additives

Plasticizers

Resins or polymers

Rubber additives

Sweeteners

Varnishes

The storage and handling of formulations associated with the process described above.

The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

"Mixing Operation": The operation of combining two or more ingredients, of which at least one is a grain.

"New Grain-Drying Operation": Any grain-drying operation the construction or modification of which is commenced on or after June 30, 1975.

"New Grain-Handling Operation": Any grain-handling operation the construction of modification of which is commenced on or after June 30, 1975.

"No Detectable Volatile Organic Material Emissions": A discharge of volatile organic material into the atmosphere as indicated by an instrument reading of less than 500 ppm above background as determined in accordance with 40 CFR 60.485(c).

"One Hundred Percent Acid": Acid with a specific gravity of 1.8205 at 30° C in the case of sulfuric acid and 1.4952 at 30° C in the case of nitric acid.

"One-Turn Storage Space": That space used to store grain with a total annual through-put not in excess of the total bushel storage of that space.

"Opacity": A condition which renders material partially or wholly impervious to transmittance of light and causes obstruction of an observer's view. For the purposes of these regulations, the following equivalence between opacity and Ringelmann shall be employed:

Opacity Percent	Ringelmann
10	0.5
20	1.
30	1.5
40	2.
60	3.
80	4.
100	5.

"Open Top Vapor Degreasing": The batch process of cleaning and removing soils from surfaces by condensing hot solvent vapor on the colder metal parts.

"Operator of Gasoline Dispensing Facility": Any person who is the lessee of or operates, controls or supervises a gasoline dispensing facility.

"Organic Compound": Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metal carbides or carbonates, and ammonium carbonate.

"Organic Material": Any chemical compound of carbon including diluents and thinners which are liquids at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents, but excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbonic acid, metallic carbide, metallic carbonates and ammonium carbonate.

"Organic Materials": For the purposes of Section 9.4 of the Act, any chemical compound of, carbon including diluents and thinners which are liquids at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents, and polychlorinated dibenzo-p-dioxins, polychlorinated dibenzofurans and polynuclear aromatic hydrocarbons are organic materials, while methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbonic acid, metallic carbide, metallic carbonates and ammoniun carbonate are organic materials.

"Organic Vapor": Gaseous phase of an organic material or a mixture of organic materials present in the atmosphere.

"Overvarnish": A coating applied directly over ink or printing.

"Owner of Gasoline Dispensing Facility": Any person who has legal or equitable title to a stationary storage tank at a gasoline dispensing facility.

"Packaging Rotogravure Printing": Rotogravure printing upon paper, paper board, metal foil, plastic film and other substrates, which are, in subsequent operations, formed into packaging products or labels for articles to be sold.

"Paint Manufacturing Plant": A plant that mixes, blends, or compounds enamels, lacquers, sealers, shellacs, stains, varnishes or pigmented surface coatings.

"Paper Coating": The application of a coating material to paper or pressure sensitive tapes, regardless of substrate, including web coating on plastic fibers and decorative coatings on metal foil.

"Particulate Matter": Any solid or liquid material, other than water, which exists in finely divided form.

"Petroleum Liquid": Crude oil, condensate or any finished or intermediate product manufactured at a petroleum refinery, but not including Number 2 through Number 6 fuel oils as specified in A.S.T.M. D-396-69, gas turbine fuel oils Numbers 2-GT through 4-GT as specified in A.S.T.M. D-2880-71 or diesel fuel oils Numbers 2-D and 4-D, as specified in A.S.T.M. D-975-68.

"Petroleum Refinery": Any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation, cracking, extraction or reforming of unfinished petroleum derivatives.

"Pharmaceutical": Any compound or mixture, other than food, used in the prevention, diagnosis, alleviation, treatment or cure of disease in man and animal.

"Pharmaceutical Coating Operation": a device in which a coating is applied to a pharmaceutical, including any drying or curing of the coating.

"Photochemically Reactive Material": Any organic material with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or the composition of which exceeds any of the following individual percentage composition limitations. Whenever any photochemically reactive material or any constituent of any organic material may be classified from its chemical structure into more than one of the above groups of organic materials it shall be considered as a member of the most reactive group, that is, the group having the least allowable percent of the total organic materials.

A combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones having an olefinic or cyclo-olefinic types of unsaturation: 5 percent.

This definition does not apply to perchlorethylene or trichloroethylene.

A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent.

A combination of ethylbenzene, ketones having branched hydrocarbon structures or toluene: 20 percent.

"Plant": all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control), except the activities of any marine vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two-digit code) as described in the "Standard Industrial Classification Manual", 1987.

"PM-10": particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers, as measured by the applicable test methods specified in 35 Ill. Adm. Code 212.110. Ambient air concentrations for PM-10 are usually expressed in micrograms per cubic meter (ug/m^3).

"Pneumatic Rubber Tire Manufacture": The production of pneumatic rubber tires with a bead diameter up to but not including 20.0 inches and cross section dimension up to 12.8 inches, but not including specialty tires for antique or other vehicles when produced on equipment separate from normal production lines for passenger or truck type tires.

"Polybasic Organic Acid Partial Oxidation Manufacturing Process": Any process involving partial oxidation of hydrocarbons with air to manufacture polybasic acids or their anhydrides, such as maleic anhydride, phthalic anhydride, terephthalic acid, isophthalic acid, trimelletic anhydride.

"Portable Grain-Handling Equipment": Any equipment (excluding portable grain dryers) that is designed and maintained to be movable primarily for use in a non-

continuous operation for loading and unloading one-turn storage space, and is not physically connected to the grain elevator, provided that the manufacturer's rated capacity of the equipment does not exceed 10,000 bushels per hour.

"Portland Cement Manufacturing Process Emission Source": any items of process equipment or manufacturing processes used in or associated with the production of portland cement, including, but not limited to, a kiln, clinker cooler, raw mill system, finish mill system, raw material dryer, material storage bin or system, material conveyor belt or other transfer system, material conveyor belt transfer point, bagging operation, bulk unloading station, or bulk loading station.

"Portland Cement Process" or "Portland Cement Manufacturing Plant": Any facility or plant manufacturing portland cement by either the wet or dry process.

"Power Driven Fastener Coating": The coating of nail, staple, brad and finish nail fasteners where such fasteners are fabricated from wire or rod of 0.0254 inch diameter or greater, where such fasteners are bonded into coils or strips, such coils and strips containing a number of such fasteners, which fasteners are manufactured for use in power tools, and which fasteners must conform with formal standards for specific uses established by various federal and national organizations including Federal Specification FF-N-105b of the General Services Administration dated August 23, 1977 (does not include any later amendments or editions; U.S. Army Armament Research and Development Command, Attn: DRDAR-TST, Rock Island, IL 61201), Bulletin UM-25d of the U.S. Department of Housing and Urban Development - Federal Housing Administration dated September 5, 1973 (does not include any later amendments or editions; Department of HUD, 547 W. Jackson Blvd., Room 1005, Chicago, IL 60606), and the Model Building Code of the Council of American Building Officials, and similar standards. For the purposes of this definition, the terms "brad" and "finish nail" refer to single leg fasteners fabricated in the same manner as staples. The application of coatings to staple, brad, and finish nail fasteners may be associated with the incremental forming of such fasteners in a cyclic or repetitious manner (incremental fabrication) or with the

forming of strips of such fasteners as a unit from a band of wires (unit fabrication).

"PPM (Vol) - (Parts per Million) (Volume)": A volume/volume ratio which expresses the volumetric concentration of gaseous air contaminant in a million unit volumes of gas.

"Pressure Release": The emission of materials resulting from system pressure being greater than set pressure of the pressure relief device.

"Pressure Tank": A tank in which fluids are stored at a pressure greater than atmospheric pressure.

"Prime Coat": The first film of coating material applied in a multiple coat operation.

"Prime Surfacer Coat": A film of coating material that touches up areas on the surface not adequately covered by the prime coat before application of the top coat.

"Process": Any stationary emission source other than a fuel combustion emission source or an incinerator.

"Process Unit": Components assembled to produce, as intermediate or final products, one or more of the chemicals listed in 35 Ill. Adm. Code 215.Appendix D. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

"Process Unit Shutdown": A work practice or operational procedure that stops production from a process unit or part of a process unit. An unscheduled work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours is not a process unit shutdown. The use of spare components and technically feasible bypassing of components without stopping production is not a process unit shutdown.

"Process Weight Rate": The actual weight or engineering approximation thereof of all materials except liquid and gaseous fuels and combustion air, introduced into any process per hour. For a cyclical or batch operation, the process weight rate shall be determined by dividing such

actual weight or engineering approximation thereof by the number of hours of operation excluding any time during which the equipment is idle. For continuous processes, the process weight rate shall be determined by dividing such actual weight or engineering approximation thereof by the number of hours in one complete operation, excluding any time during which the equipment is idle.

"Production Equipment Exhaust System": A system for collecting and directing into the atmosphere emissions of volatile organic material from reactors, centrifuges and other process emission sources.

"Publication Rotogravure Printing": Rotogravure printing upon paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements or other types of non-packaging printed materials.

"Purged Process Fluid": Liquid or vapor from a process unit that contains volatile organic material and that results from flushing or cleaning the sample line(s) of a process unit so that an uncontaminated sample may then be taken for testing or analysis.

"Reactor": A vat, vessel or other device in which chemical reactions take place.

"Reasonably Available Control Technology (RACT)": The lowest emission limitation that an emission source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

"Refinery Fuel Gas": Any gas which is generated by a petroleum refinery process unit and which is combusted at the refinery, including any.gaseous mixture of natural gas and fuel gas.

"Refinery Unit, Process Unit or Unit": A set of components which are a part of a basic process operation such as distillation, hydrotreating, cracking or reforming of hydrocarbons.

"Refrigerated Condenser": a surface condenser in which the coolant supplied to the condenser has been cooled by a

mechanical device, other than by a cooling tower or evaporative spray cooling, such as a refrigeration unit or steam chiller unit.

"Residual Fuel Oil": Fuel oils of grade No. 4, 5 and 6 as specified in detailed requirements for fuel oils A.S.T.M. D-396-69 (1971).

"Restricted Area": The area within the boundaries of any "municipality" as defined in the Illinois Municipal Code (ch. 24, par. 1-1-1 et seq.), plus a zone extending one mile beyond the boundaries of any such municipality having a population of 1000 or more according to the latest federal census.

"Ringelmann Chart": The chart published and described in the Bureau of Mines, U.S. Department of Interior, Information Circular 8333 (Revision of IC7718) May 1, 1967, or any adaptation thereof which has been approved by the Agency.

"Roadway": Any street, highway, road, alley, sidewalk, parking lot, airport, rail bed or terminal, bikeway, pedestrian mall or other structure used for transportation purposes.

"Roll Printing": The application of words, designs and pictures to a substrate usually by means of a series of hard rubber or metal rolls each with only partial coverage.

"Rotogravure Printing": The application of words, designs and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is recessed relative to the non-image area.

"Safety Relief Valve": A valve which is normally closed and which is designed to open in order to relieve excessive pressures within a vessel or pipe.

"Sandblasting": The use of a mixture of sand and air at high pressures for cleaning or polishing any type of surface.

"Sensor": A device that measures a physical quantity or the change in a physical quantity such as temperature, pressure, flow rate, pH, or liquid level.

"Set of Safety Relief Valves": One or more safety relief valves designed to open in order to relieve excessive pressures in the same vessel or pipe.

"Screening": Separating material according to size by pressing undersized material through one or more mesh surfaces (screens) in series, and retaining oversized material on the mesh surfaces (screens).

"Sheet Basecoat": A coating applied to metal when the metal is in sheet form to serve as either the exterior or interior of a can for either two-piece or three-piece cans.

"Shotblasting": The use of a mixture of any metallic or non-metallic substance and air at high pressures for cleaning or polishing any type of surface.

"Side-Seam Spray Coat": A coating applied to the seam of a three-piece can.

"Smoke": Small gas-borne particles resulting from incomplete combustion, consisting predominately but not exclusively of carbon, ash and other combustible material, that form a visible plume in the air.

"Smokeless Flare": A combustion unit and the stack to which it is affixed in which organic material achieves combustion by burning in the atmosphere such that the smoke or other particulate matter emitted to the atmosphere from such combustion does not have an appearance density or shade darker that No. 1 of the Ringlemann Chart.

"Solvent Cleaning": The process of cleaning soils from surfaces by cold cleaning, open top vapor degreasing or conveyorized degreasing.

"Specialty High Gloss Catalyzed Coating": Commercial contract finishing of material prepared for printers and lithographers where the finishing process uses a solvent-borne coating, formulated with a catalyst, in a quantity

of no more than 12,000 gallons/year as supplied, where the coating machines are sheet fed and the coated sheets are brought to a minimum surface temperature of 190° F, and where the coated sheets are to achieve the minimum specular reflectance index of 65 measured at a 60 degree angle with a gloss meter.

"Splash Loading": A method of loading a tank, railroad tank car, tank truck or trailer by use of other than a submerged loading pipe.

"Stack": A flue or conduit, free-standing or with exhaust port above the roof of the building on which it is mounted, by which air contaminants are emitted into the atmosphere.

"Standard Conditions": A temperature of 70° F and a pressure of 14.7 pounds per square inch absolute (psia).

"Standard Cubic Foot (scf)": The volume of one cubic foot of gas at standard conditions.

"Startup": The setting in operation of an emission source for any purpose.

"Stationary Emission Source": An emission source which is not self-propelled.

"Stationary Storage Tank": Any container of liquid or gas which is designed and constructed to remain at one site.

"Submerged Loading Pipe": Any loading pipe the discharge opening of which is entirely submerged when the liquid level is 6 inches above the bottom of the tank. When applied to a tank which is loaded from the side, any loading pipe the discharge of which is entirely submerged when the liquid level is 18 inches or two times the loading pipe diameter, whichever is greater, above the bottom of the tank. The definition shall also apply to any loading pipe which is continuously submerged during loading operations.

"Sulfuric Acid Mist": Sulfuric acid mist as measured according to the method specified in 35 Ill. Adm. Code 214.101(b).

"Surface Condenser": A device which removes a substance from a gas stream by reducing the temperature of the stream, without direct contact between the coolant and the stream.

"Synthetic Organic Chemical or Polymer Manufacturing Plant": A plant that produces, as intermediates or final products, one or more of the chemicals or polymers listed in 35 Ill. Adm. Code 215.Appendix D.

"Tablet Coating Operation": A pharmaceutical coating operation in which tablets are coated.

"Top Coat": A film of coating material applied in a multiple coat operation other than the prime coat, final repair coat or prime surfacer coat.

"Transfer Efficiency": ratio of the amount of coating solids deposited onto a part or product to the total amount of coating solids used.

"Tread End Cementing": The application of a solvent-based cement to the tire tread ends.

"True Vapor Pressure": The equilibrium partial pressure exerted by a petroleum liquid as determined in accordance with methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss From Floating Roof Tanks" (1962).

"Turnaround": The procedure of shutting down an operating refinery unit, emptying gaseous and liquid contents to do inspection, maintenance and repair work, and putting the unit back into production.

"Undertread Cementing": The application of a solvent-based cement to the underside of a tire tread.

"Unregulated Safety Relief Valve": A safety relief valve which cannot be actuated by a means other than high pressure in the pipe or vessel which it protects.

"Vacuum Producing System": Any reciprocating, rotary or centrifugal blower or compressor, or any jet ejector or device that creates suction from a pressure below atmospheric and discharges against a greater pressure.

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"Valves Not Externally Regulated": Valves that have no external controls, such as in-line check valves.

"Vapor Balance System": Any combination of pipes or hoses which creates a closed system between the vapor spaces of an unloading tank and a receiving tank such that vapors displaced from the receiving tank are transferred to the tank being unloaded.

"Vapor Collection System": All piping, seals, hoses, connections, pressure-vacuum vents, and other possible sources between the gasoline delivery vessel and the vapor processing unit or the storage tanks and vapor holder.

"Vapor Control System": Any system that prevents release to the atmosphere of organic material in the vapors displaced from a tank during the transfer of gasoline.

"Vapor-Mounted Primary Seal": A primary seal mounted with an air space bounded by the bottom of the primary seal, the tank wall, the liquid surface and the floating roof.

"Vinyl Coating": The application of a topcoat or printing to vinyl coated fabric or vinyl sheets; provided, however, that the application of an organosol or plastisol is not vinyl coating.

"Volatile Organic Liquid": Any liquid which contains volatile organic material.

"Volatile Organic Material":

Any organic compound which participates in atmospheric photochemical reactions unless specifically exempted from this definition. Volatile organic material emissions shall be measured by the reference methods specified under 40 CFR 60, Appendix A (1986) (no future amendments or editions are included), or, if no reference method is applicable, may be determined by mass balance calculations.

For purposes of this definition, the following are not volatile organic materials:

Chlorodifluoroethane (HCFC-142b)

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Chlorodifluoromethane (CFC-22)
Chloropentafluoroethane (CFC-115)
2-Chloro-1,1,1,2-tetrafluoroethane (HCFC-124)
Dichlorodifluoromethane (CFC-12)
Dichlorofluoroethane (HCFC-141b)
Dichloromethane (Methylene chloride)
Dichlorotetrafluoroethane (CFC-114)
Dichlorotrifluoroethane (HCFC-123)
1,1-Difluoroethane (HFC-152a)
Ethane
Methane
Pentafluoroethane (HFC-125)
Tetrafluoroethane (HFC-134a)
1,1,2,2-Tetrafluoroethane (HFC-134)
Trichloroethane (Methyl chloroform)
Trichlorofluoromethane (CFC-11)
Trichlorotrifluoroethane (CFC-113)
1,1,1-Trifluoroethane (HFC-143a)
Trifluoromethane (FC-23)

and the following classes of compounds:

Cyclic, branched, or linear, completely fluorinated alkanes.

Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations.

Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations.

Sulphur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

BOARD NOTE: USEPA or the Agency may require monitoring to demonstrate the amount of an exempted compound in a source's emissions on a case-by-case basis as a pre-condition to exemption of that compound under certain circumstances, such as where VOMs and exempted compounds are mixed together, there are a large number of exempted compounds, or the chemical composition of the exempted compounds is

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not known. See 35 Ill. Adm. Code 215.108; 56 Fed.Reg. 11419-20.

"Volatile Organic Material Content" or "VOMC": the emissions of volatile organic material which would result from the exposure of a coating, printing ink, fountain solution, tire spray, dry cleaning waste or other similar material to the air, including any drying or curing, in the absence of any control equipment. VOMC is typically expressed as kilogram (kg) VOM/liter (lb VOM/gallon) of coating or coating solids, or kg VOM/kg (lb VOM/lb) of coating solids, of coating material or material.

"Volatile Petroleum Liquid": Any petroleum liquid with a true vapor pressure that is greater than 1.5 psia (78 millimeters of mercury) at standard conditions.

"Wastewater (Oil/Water) Separator": Any device or piece of equipment which utilizes the difference in density between oil and water to remove oil and associated chemicals of water, or any device, such as a flocculation tank or a clarifier, which removes petroleum derived compounds from waste water.

"Weak Nitric Acid Manufacturing Process": Any acid producing facility manufacturing nitric acid with a concentration of less than 70 percent by weight.

"Woodworking": The shaping, sawing, grinding, smoothing, polishing and making into products of any form or shape of wood.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

2) Code Citation: 35 Ill. Adm. Code 721

3) Section Numbers: Proposed Action:

721.131 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111½, pars. 1022.4 and 1027.

5) A Complete Description of the Subjects and Issues Involved:

The Board adopted a Proposed Opinion and Order in this matter, R91-26, on October 24, 1991. A copy of the Proposed Opinion is available from the address below.

Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½. par. 1022.4(a)) requires the Board to adopt regulations which are "identical in substance" to regulations adopted by USEPA to implement Sections 3001 through 3005 of the Resource Conservation and Recovery Act. The USEPA regulations, which deal with hazardous waste, are found at 40 CFR 260 through 270. The equivalent Board regulations are in 35 Ill. Adm. Code 702, 703, 705 and 720 through 728.

The term "identical in substance" is defined in Section 7.2 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½. par. 1007.2). Section 22.4(a) of the Act provides that Section 5 of the Administrative Procedure Act does not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

On August 8, 1991, the Board entered a final Opinion and Order in R91-1. Among other things, the Board adopted new regulations governing wood preservers. The rules appeared at 15 Ill. Reg. 14473, effective September 30, 1991.

These rules were derived from USEPA regulations adopted at 55 Fed. Reg. 50450, December 6, 1990. USEPA published a stay of the wood preserving rules at 56 Fed Reg. 27332, June 13, 1991. The Board addressed the stay in R91-1, even though it was outside the normal batch period for the Docket. The Board adopted the USEPA wood preserving rules, along with USEPA's language staying the rules.

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To qualify for the USEPA stay, wood preservers had to notify USEPA by August 6, 1991, that they intended to upgrade drip pads by placing an impermeable coating on the surface. Wood preservers also have to notify USEPA by November 6, 1991, with a plan and financial commitments for the upgrading, which must be completed by February 6, 1992.

This Docket concerns only the non-HSWA portions of the wood preserving rules. The non-HSWA requirements have no effect in authorized states, such as Illinois, until they are adopted by the states. As was discussed on p. 13 of the R91-1 Opinion, USEPA and wood preservers subject only to the non-HSWA portions of the USEPA rules may have been operating on the assumption that Illinois would not adopt the USEPA rules, because of the USEPA stay and anticipated modification of its rules. In that the Board's action might have caused confusion, the Board extended the initial notification date, from August 6 to November 6, 1991, to qualify for the stay from the Board rules.

Since the R91-1 rules were filed, the Board has received several calls from wood preservers claiming that the coating operation requires outdoor temperatures in excess of 70° F. It is therefore physically impossible to comply with the conditions of the stay by preparing a plan and carrying out the coating operation before February 6, at least in Illinois.

USEPA has stayed these requirements and apparently does not expect the States to adopt them at all until after the rules have been modified in a subsequent rulemaking. In any event, 40 CFR 271.21(e) would not require State action on the non-HSWA components until July 1, 1992. The Board is therefore proposing to extend the compliance date to July 1, 1992. The Board will also extend the date for the plan and financial committments to February 6, 1992, to give wood preservers time to file the plan and financial committments after these rules become effective.

The Board will therefore propose to amend the "stay" language in the Board Notes following listings F034 and F035 in Section 721.131, as is set forth below. It is apparently not necessary to amend the operative language in Section 724.673 and 725.543. The stay of F032 is HSWA-driven, and apparently cannot be extended.

6) Will these proposed amendments replace an emergency rule currently in effect? No.

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7) Does this rulemaking contain an automatic repeal date?: No.

8) Does this proposed amendment contain incorporations by reference? No.

9) Are there any other proposed amendments pending on this Part? Yes, in R91-12, USX:

Section Numbers	Proposed Action	Illinois Register Citation
721.App I	Amendment	June 28, 1991; 15 Ill. Reg. 9288

10) Statement of Statewide Policy Objectives:

This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act, and by the federal Resource Conservation and Recovery Act. The statewide policy objectives are set forth in Section 20 of the Environmental Protection Act. This rulemaking imposes no mandates on units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R91-26 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: October 25, 1991.

B) Types of small businesses affected:

The proposed amendments affect wood preservers.

C) Reporting, bookkeeping or other procedures required for compliance:

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The proposed amendments extend the time in which certain wood preservers can prepare a plan and conduct upgrading of drip pads.

D) Types of professional skills required for compliance:

Compliance with the proposed amendments may require the services of an attorney and registered professional engineer.

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 721
IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A: GENERAL PROVISIONS

Section
721.101 Purpose and Scope
721.102 Definition of Solid Waste
721.103 Definition of Hazardous Waste
721.104 Exclusions
721.105 Special Requirements for Hazardous Waste Generated by Small Quantity Generators
721.106 Requirements for Recyclable Materials
721.107 Residues of Hazardous Waste in Empty Containers
721.108 PCB Wastes Regulated under TSCA

SUBPART B: CRITERIA FOR IDENTIFYING THE CHARACTERISTICS OF HAZARDOUS WASTE AND FOR LISTING HAZARDOUS WASTES

Section
721.110 Criteria for Identifying the Characteristics of Hazardous Waste
721.111 Criteria for Listing Hazardous Waste

SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE

Section
721.120 General
721.121 Characteristic of Ignitability
721.122 Characteristic of Corrosivity
721.123 Characteristic of Reactivity
721.124 Toxicity Characteristic

SUBPART D: LISTS OF HAZARDOUS WASTE

Section
721.130 General
721.131 Hazardous Wastes From Nonspecific Sources
721.132 Hazardous Waste from Specific Sources
721.133 Discarded Commercial Chemical Products, Off-Specification Species, Container Residues and Spill Residues Thereof
721.135 Wood Preserving Wastes

Appendix A Representative Sampling Methods
Appendix B Method 1311 Toxicity Characteristic Leaching Procedure (TCLP)
Appendix C Chemical Analysis Test Methods

Table A	Analytical Characteristics of Organic Chemicals (Repealed)
Table B	Analytical Characteristics of Inorganic Species (Repealed)
Table C	Sample Preparation/Sample Introduction Techniques (Repealed)
Appendix G	Basis for Listing Hazardous Wastes
Appendix H	Hazardous Constituents
Appendix I	Wastes Excluded under Section 720.120 and 720.122
Table A	Wastes Excluded from Non-Specific Sources
Table B	Wastes Excluded from Specific Sources
Table C	Wastes Excluded From Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof
Appendix J	Method of Analysis for Chlorinated Dibenzo-p-Dioxins and Dibenzofurans
Appendix Z	Table to Section 721.102

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½, pars. 1022.4 and 1027).

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 13999, effective October 12, 1983; amended in R84-34, 61 PCB 247, at 8 Ill. Reg. 24562, effective December 11, 1984; amended in R84-9, at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998, effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986; amended in R86-1 at 10 Ill. Reg. 14002, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20647, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg. 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2456, effective January 15, 1988; amended in R87-30 at 12 Ill. Reg. 12070, effective July 12, 1988; amended in R87-39 at 12 Ill. Reg. 13006, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 382, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18300, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14401, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16472, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7950, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9332, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14473,

effective September 30, 1991; amended in R91-26 at Ill. Reg. , effective .

SUBPART D: LISTS OF HAZARDOUS WASTE

Section 721.131 Hazardous Wastes From Nonspecific Sources

a) The following solid wastes are listed hazardous wastes from non-specific sources unless they are excluded under 35 Ill. Adm. Code 720.120 and 720.122 and listed in Appendix I.

EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
F001	The following spent halogenated solvents used in degreasing: tetrachloroethylene, trichloroethylene, methylene chloride, 1,1,1-trichloroethane, carbon tetrachloride and chlorinated fluorocarbons; all spent solvent mixtures and blends used in degreasing containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those solvents listed in F002, F004 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(T)
F002	The following spent halogenated solvents: tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, orthodichlorobenzene, trichlorofluoromethane and 1,1,2-trichloroethane; all spent solvent mixtures and blends containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those solvents listed in F001, F004 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(T)
F003	The following spent non-halogenated	(I)

	solvents: xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n-butyl alcohol, cyclohexanone and methanol; all spent solvent mixtures and blends containing, before use, only the above spent non-halogenated solvents; and all spent solvent mixtures and blends containing, before use, one or more of the above non-halogenated solvents and a total of ten percent or more (by volume) of one or more of those solvents listed in F001, F002, F004 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	
F004	The following spent non-halogenated solvents: cresols and cresylic acid and nitrobenzene; all spent solvent mixtures and blends containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(T)
F005	The following spent non-halogenated solvents: toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene, 2-ethoxyethanol and 2-nitropropane; all spent solvent mixtures and blends, containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002 or F004; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(I, T)
F006	Wastewater treatment sludges from electroplating operations except from the following processes: (1) sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning/stripping associated with tin, zinc and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum.	(T)
F019	See Below	
F007	Spent cyanide plating bath solutions from electroplating operations.	(R, T)
F008	Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process.	(R, T)
F009	Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process.	(R, T)
F010	Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process.	(R, T)
F011	Spent cyanide solutions from salt bath pot cleaning from metal heat treating operations.	(R, T)
F012	Quenching wastewater treatment sludges from metal heat treating operations where cyanides are used in the process.	(T)
F019	Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process. .	(T)
F020	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tri- or tetra-chlorophenol, or of intermediates used to produce their pesticide derivatives.	(H)

	(This listing does not include wastes from the production of hexachlorophene from highly purified 2,4,5-trichlorophenol.)	
F021	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of pentachlorophenol, or of intermediates used to produce its derivatives.	(H)
F022	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tetra-, penta- or hexachlorobenzenes under alkaline conditions.	(H)
F023	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tri- and tetrachlorophenols. (This listing does not include wastes from equipment used only for the production or use of hexachlorophene from highly purified 2,4,5- trichlorophenol.	(H)
F024	Process wastes including but not limited to, distillation residues, heavy ends, tars, and reactor cleanout wastes, from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution. (This listing does not include wastewaters, wastewater treatment	(T)

	sludges, spent catalysts and wastes listed in this Section or Section 721.132.)	
F025	Condensed light ends, spent filters and filter aids, and spent desicant wastes from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.	(T)
F026	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tetra-, penta- or hexachlorobenzene under alkaline conditions.	(H)
F027	Discarded unused formulations containing tri-, tetra- or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (This listing does not include formulations containing hexachlorophene synthesized from prepurified 2,4,5-trichlorophenol as the sole component).	(H)
F028	Residues resulting from the incineration or thermal treatment of soil contaminated with hazardous waste numbers F020, F021, F022, F023, F026 and F027.	(T)
F032	Wastewaters, process residuals, preservative drippage and spent formulations from wood preserving processes generated at plants that currently use or have previously used chlorophenolic formulations (except potentially cross-contaminated wastes that have had the F032 waste code	(T)

deleted in accordance with Section 721.135 and where the generator does not resume or initiate use of chlorophenolic formulations). This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol.

BOARD NOTE: The listing of wastewaters that have not come into contact with process contaminants is stayed administratively. The listing for plants that have previously used chlorophenolic formulations is administratively stayed whenever these wastes are covered by the F034 or F035 listings. These stays will remain in effect until further administrative action is taken. Furthermore, the F032 listing is administratively stayed with respect to the process area receiving drippage of these wastes provided persons desiring to continue operating notify USEPA by August 6, 1991, of their intent to upgrade or install drip pads, and by November 6, 1991, provide evidence to USEPA that they have adequate financing to pay for drip pad upgrades or installation, as provided in the administrative stay. The stay of listings will remain in effect until February 6, 1992, for existing drip pads, and until May 6, 1992, for new drip pads.

F034 Wastewaters, process residuals, preservative drippage and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol. (T)

BOARD NOTE: The listing of wastewaters that have not come into contact with process contaminants is stayed

administratively. These stays will remain in effect until further administrative action is taken. Furthermore, the F034 and F035 listings are administratively stayed with respect to the process area receiving drippage of these wastes provided that, by ~~November 6, 1991~~February 6, 1992, persons desiring to continue operating notify the Agency of their intent to upgrade or install drip pads, and provide evidence to the Agency that they have adequate financing to pay for drip pad upgrades or installation, as provided in the administrative stay. The stay of listings will remain in effect until ~~February 6, 1992, for existing drip pads, and until May 6, 1992, for new drip pads~~July 1, 1992.

F035 Wastewaters, process residuals, preservative drippage and spent formulations from wood preserving processes generated at plants that use inorganic preservatives containing arsenic or chromium. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol. (T)

BOARD NOTE: The listing of wastewaters that have not come into contact with process contaminants is stayed administratively. These stays will remain in effect until further administrative action is taken. Furthermore, the F034 and F035 listings are administratively stayed with respect to the process area receiving drippage of these wastes provided that, by ~~November 6, 1991~~February 6, 1992, persons desiring to continue operating notify the Agency of their intent to upgrade or install drip pads, and provide evidence to the Agency that they have adequate financing to pay for drip pad upgrades or installation, as provided in the administrative stay.

The stay of listings will remain in effect until ~~February 6, 1992, for existing drip pads, and until May 6, 1992, for new drip pads~~July 1, 1992.

F037 Petroleum refinery primary oil/water/solids separation sludge -- Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in: oil/water/solids separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated in aggressive biological treatment units as defined in subsection (b)(2) (including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units) and K051 wastes are not included in this listing. (T)

F038 Petroleum refinery secondary (emulsified) oil/water/solids separation sludge -- Any sludge or float generated from the physical or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries. Such wastes include, but are not limited to, all sludges and floats generated in: induced air floatation (IAF) units, tanks and impoundments, and all sludges generated in DAF units. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated in aggressive biological treatment units as defined in subsection (b)(2) (including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological (T)

treatment units), F037, K048 and K051 wastes are not included in this listing.

F039 Leachate resulting from the treatment, storage or disposal of wastes classified by more than one waste code under Subpart D, or from a mixture of wastes classified under Subparts C and D. (Leachate resulting from the management of one or more of the following USEPA hazardous wastes and no other hazardous wastes retains its hazardous waste code(s): F020, F021, F022, F023, F026, F027 or F028.) (T)

BOARD NOTE: The primary hazardous properties of these materials have been indicated by the letters T (Toxicity), R (Reactivity), I (Ignitability), and C (Corrosivity). The letter H indicates Acute Hazardous Waste.

b) Listing specific definitions.

1) For the purpose of the F037 and F038 listings, oil/water/solids is defined as oil or water or solids.

2) For the purposes of the F037 and F038 listings:

A) Aggressive biological treatment units are defined as units which employ one of the following four treatment methods: activated sludge; trickling filter; rotating biological contactor for the continuous accelerated biological oxidation of wastewaters; or, high-rate aeration. High-rate aeration is a system of surface impoundments or tanks, in which intense mechanical aeration is used to completely mix the wastes, enhance biological activity, and:

i) The units employ a minimum of 6 horsepower per million gallons of treatment volume; and either

ii) The hydraulic retention time of the unit is no longer than 5 days; or

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iii) The hydraulic retention time is no longer than 30 days and the unit does not generate a sludge that is a hazardous waste by the toxicity characteristic.

B) Generators and treatment, storage or disposal (TSD) facilities have the burden of proving that their sludges are exempt from listing as F037 or F038 wastes under this definition. Generators and TSD facilities shall maintain, in their operating or other on site records, documents and data sufficient to prove that:

i) The unit is an aggressive biological treatment unit as defined in this subsection; and

ii) The sludges sought to be exempted from F037 or F038 were actually generated in the aggressive biological treatment unit.

3) Time of generation. For the purposes of:

A) The F037 listing, sludges are considered to be generated at the moment of deposition in the unit, where deposition is defined as at least a temporary cessation of lateral particle movement.

B) The F038 listing:

i) Sludges are considered to be generated at the moment of deposition in the unit, where deposition is defined as at least a temporary cessation of lateral particle movement; and

ii) Floats are considered to be generated at the moment they are formed in the top of the unit.

(Source: Amended at Ill. Reg. , effective)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

1) The Heading of the Part: DEVELOPMENTAL DISABILITIES SERVICES

2) Code Citation: 89 Ill. Adm. Code 144

3)

Section Number:	Proposed Action:
144.275	Amendment

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking provides for an increase in the rate paid ICF/DD facilities for dental services. This increase results from additional funds being generated by assessment fees. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $500,000 in Fiscal Year 1992.

6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date?
___Yes _X_ No

8) Does this Proposed Amendment contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
144.300	New Section	May 17, 1991 (15 Ill. Reg. 7455)
144.325	New Section	May 17, 1991 (15 Ill. Reg. 7455)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel Leikvold,

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Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except in Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

12) Initial Regulatory Flexibility Analysis:

A) Date Proposed Amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: October 22, 1991

B) Types of small businesses affected: Medical Providers

C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.

D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendment is identical to the text of the Emergency Amendment which appears in this issue of the Register on page 16150.

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NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: HOSPITAL SERVICES

2) Code Citation: 89 Ill. Adm. Code 148

3)

Section Numbers:	Proposed Action:
148.20	Amendment
148.40	Amendment
148.60	Amendment
148.70	Amendment
148.80	Amendment
148.90	Repealed
148.100	Repealed
148.110	Repealed
148.120	Amendment
148.130	Amendment
148.140	Amendment
148.150	Amendment
148.160	Amendment
148.170	Amendment
148.180	Amendment
148.190	Amendment
148.200	Amendment
148.210	Amendment
148.220	Amendment
148.230	Amendment
148.240	Amendment
148.250	Amendment
148.260	Amendment
148.270	Amendment
148.280	Amendment
148.290	Amendment
148.300	Amendment
148.310	Amendment
148.320	Amendment
148.400	New Section

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking describes several new reimbursement methodologies for hospitals (Numbers in parentheses indicate the estimated increase resulting from the particular component to the Department's aggregate expenditures to hospitals for Fiscal Year 1992): reimbursement for county-owned and state-owned hospitals in counties with populations over 3 million ($450 million);

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disproportionate share hospitals (including additional adjustments for targeted access and critical care access hospitals ($18 million); outpatient hospital reimbursement ($20 million); uncompensated care reimbursement methodologies ($65 million); and alternate reimbursement methodologies for hospitals excluded from the Diagnosis Related Grouping Prospective Payment System (DGR PPS) (no increase).

6) Will these Proposed Amendments replace Emergency Amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
___Yes _X_ No

8) Do these Proposed Amendments contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
148.340	Amendment	July 26, 1991 (15 Ill. Rg. 10909)
148.360	Amendment	July 26, 1991 (15 Ill. Reg. 10909)
148.370	Amendment	July 26, 1991 (15 Ill. Reg. 10909)
148.380	Amendment	July 26, 1991 (15 Ill. Reg. 10909)
148.390	Amendment	July 26, 1991 (15 Ill. Reg. 10909)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel C. Leikvold, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

62762 (217)782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except in Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

12) Initial Regulatory Flexibility Analysis:

A) Date Proposed Amendments were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: October 25, 1991

B) Types of small businesses affected: Medical Providers

C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.

D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendments are identical to the text of the Emergency Amendments which appears in this issue of the Register on page 16169.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

2) Code Citation: 89 Ill. Adm. Code 149

3) Section Numbers: Proposed Action:

149.5	Amendment
149.25	Amendment
149.50	Amendment
149.75	Amendment
149.100	Amendment
149.105	Amendment
149.125	Amendment
149.150	Amendment
149.175	Repealed
149.200	Repealed
149.205	Repealed
149.225	Repealed
149.250	Repealed
149.275	Repealed
149.300	Repealed
149.305	Repealed
149.325	Repealed

4) Statutory Authority: Sections 5-5.1 et seq. of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq.)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking sets forth the basis of payment for inpatient hospital services under the Diagnostic Related Grouping (DRG) Prospective Payment System (PPS). This rulemaking also deletes provisions related to the Illinois Competitive Access and Reimbursement Equity Program (ICARE).

These changes are estimated to increase the Department's aggregate expenditues for inpatient hospital services by $510 million in Fiscal Year 1992.

6) Will these Proposed Amendments replace Emergency Amendments currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date?
___Yes X No

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

8) Do these Proposed Amendments contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel Leikvold, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except in Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

12) Initial Regulatory Flexibility Analysis:

A) Date Proposed Amendments were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: November 1, 1991

B) Types of small businesses affected: Medical providers

C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.

D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendments are identical to the text of the Emergency Amendments which appears in this issue of the Register on page 16310.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: MEDICAL PAYMENT

2) Code Citation: 89 Ill. Adm. Code 140

3) Section Numbers: Proposed Action:

140.94	New Section
140.95	New Section
140.530	Amendment
140.538	Amendment
140.552	Amendment
140.562	Amendment
140.569	Amendment
140.583	Amendment
140.835	Repealed

4) Statutory Authority:

89 Ill. Adm. Code 140.94 and 140.95

Sections 5-4.20 through 5-4.39 and Sections 14-1 through 14-10 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-4.20 through 5-4.39 and Sections 14-1 through 14-10)

89 Ill. Adm. Code 140.530 thru 140.835

Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) A Complete Description of the Subjects and Issues Involved:

89 Ill. Adm. Code 140.94 and 140.95

This rulemaking implements a system of Provider Participation Fees.

Section 140.94 "Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund": Under this rulemaking intermediate care facilities for the developmentally disabled and skilled and intermediate nursing facilities, including county nursing homes, are required to pay a provider participation fee to the Department of Public Aid equal to 15% of the provider's Medicaid payments. They are used, in conjunction with other State funds, as the State's match in order to receive Federal Financial Participation for medical services.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 140.95 "Hospital Services Trust Fund": Under this rulemaking, hospitals are required to pay certain provider participation fees to the Department. One fee equals 50% of the difference between the hospital's anticipated Medicaid payments for the current fiscal year and what the hospital's payments would have been in the current fiscal year, based on Fiscal Year 1991 payments less 5%. A second fee equals 5% of the hospitals payments from the Department last fiscal year. A third fee is imposed only on hospitals receiving critical care access payments and equals 50% of those payments. These fees are used, in conjunction with other State funds, as the State's match in order to receive Federal Financial Participation for medical services.

The rules set forth guidelines for the amount of the fees, the payment of the fees, delayed payment of fees, reconsideration and reconciliation on the amount of the fee, penalties for late payment of the fees, disbursement of the fees from the fund to the providers and annual audits. This structure of fees and disbursements is conditioned upon the availability of federal funds under Title XIX of the Social Security Act to match the fees collected and disbursed. If federal matching funds become unavailable, these rules shall no longer apply.

89 Ill. Adm. Code 140.530 thru 140.835

Section 140.530 "Basis of Payment for Long Term Care Services": This rulemaking deletes the requirement that Department rates to nursing facilities may not exceed a facility's charges to private pay residents. This brings Department rules in this regard into accord with federal regulations. This change has no fiscal impact on the Department's expenditures.

Section 140.538 "Special Costs": This rulemaking provides that the assessment fee does not become an allowable cost for double reimbursement in future cost reports. This change has no fiscal impact on the Department's expenditures.

Section 140.552 "Nursing and Program Costs": This rulemaking removes the Illinois Experience factor. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $17.3 million in Fiscal Year 1992.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 140.562 "Nursing Costs": This rulemaking removes the 7.1% nursing wage adjustment factor. The costs associated with elimination of this 7.1% are being distributed to certain categories of the IOC survey. A proposed/emergency rulemaking addressing those distributions is being contemperaneously filed with this rulemaking. Accordingly, this change will have fiscal impact on the Department's annual aggregate expenditures for Fiscal Year 1991.

Section 140.569 "Clients With Exceptional Care Needs": This rulemaking will allow facilities with Medicaid eligible residents, that have been discharged from the hospital or are transitioning from Medicare to Medicaid while in the nursing facility, to be assessed for exceptional care reimbursement. The proposed rule is also lowering the cost requirement from 50% to 25% more than the proposed admitting facility's per diem rate. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $3 million in Fiscal Year 1992.

Section 140.583 "Campus Facilities": This rulemaking revises the methodology used to determine rates for Campus Facilities to encompass the assessment fee. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $100,000 in Fiscal Year 1992.

Section 140.835 "Determination of Cap on Payments for Long Term Care": This section is obsoleted and accordingly repealed because the Department is deleting the requirement that Department rates for nursing facilities may not exceed a facility's charges to private pay residents. This change has no fiscal impact on the Department's expenditures.

6) Will these Proposed Amendments replace Emergency Amendments currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date?
___Yes _X_No

8) Do these Proposed Amendments contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section Numbers	Proposed Action	Illinois Register Citation
140.2	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.3	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.5	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.11	Amendment	May 10, 1991 (15 Ill. Reg. 6949)
140.71	Amendment	December 21, 1990 (14 Ill. Reg. 20170)
140.400	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.425	Repealed	August 19, 1991 (15 Ill. Reg. 12171)
140.426	Repealed	August 19, 1991 (15 Ill. Reg. 12171)
140.428	Repealed	August 19, 1991 (15 Ill. Reg. 12171)
140.440	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.441	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.442	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.449	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.460	Amendment	April 5, 1991 (15 Ill. Reg. 4903)
140.461	Amendment	April 5, 1991 (15 Ill. Reg. 4903)
140.462	Amendment	April 5, 1991 (15 Ill. Reg. 4903)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section Numbers	Proposed Action	Illinois Register Citation
140.463	Amendment	April 5, 1991 (15 Ill. Reg. 4903)
140.465	Repealed	April 5, 1991 (15 Ill. Reg. 4903)
140.469	Amendment	September 20, 1991 (15 Ill. Reg. 13685)
140.512	Amendment	September 13, 1991 (15 Ill. Reg. 13274)
140.513	Amendment	September 13, 1991 (15 Ill. Reg. 13274)
140.514	Amendment	August 16, 1991 (15 Ill. Reg. 11555)
140.518	Amendment	July 5, 1991 (15 Ill. Reg. 9885)
140.560	Amendment	April 19, 1991 (15 Ill. Reg. 5585)
140.561	Amendment	May 17, 1991 (15 Ill. Reg. 7482)
140.569	Amendment	June 14, 1991 (15 Ill. Reg. 8656)
140.646	Amendment	May 10, 1991 (15 Ill. Reg. 6949)
140.Table E	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.Table F	Repealed	August 19, 1991 (15 Ill. Reg. 12171)

10) Statement of Statewide Policy Objectives:

89 Ill. Adm. Code 140.94 and 140.95

This rulemaking has no effect on local governmental units.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

89 Ill. Adm. Code 140.530 thru 140.835

This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

89 Ill. Adm. Code 140.94 and 140.95

Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to David E. Peterson, Deputy General Counsel, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

89 Ill. Adm. Code 140.530 thru 140.835

Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel Leikvold, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except in Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

12) Initial Regulatory Flexibility Analysis:

89 Ill. Adm. Code 140.94 and 140.95

This rulemaking has no effect on small businesses.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

89 Ill. Adm. Code 140.530 thru 140.835

A) Date Proposed Amendments were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: October 22, 1991

B) Types of small businesses affected: Medical Providers

C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.

D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendments are identical to the text of the Emergency Amendments which appears in this issue of the Register on page 16373

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: REIMBURSEMENT FOR NURSING COSTS FOR GERIATRIC FACILITIES

2) Code Citation: 89 Ill. Adm. Code 147

3) Section Numbers: Proposed Action:

147.150	Amendment
147.TABLE A	Amendment
147.TABLE B	Amendment

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) A Complete Description of the Subjects and Issues Involved:

Section 147.150 "Statewide Rates" - This rulemaking revises the determination of wages to allow fringe benefits to be equal to 21%; the special minimum wage factor is being extended from June 30, 1991 to June 30, 1992; and a final wage multiplier of 4.1% will be applied to wages. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $46 million in Fiscal Year 1992.

Section 147.TABLE A "Staff Time and Allocation by Need Level" - One licensed minute has been added to each of the four ADL categories, Bathing, Clothing, Eating and Mobility for each level, two therapy minutes have been added to OccupationaL and Physical Therapy for level one, two additional minutes of unlicensed time have been added to Restraint Reduction and unlicensed and licensed time have been increased to a full minute each in Social Services as well as an increase of three minutes for social worker time in this category.

Section 147.TABLE B "Staff Time and Allocation for Restorative Programs" - Two licensed minutes have been added to the four restorative ADL categories, Bathing, Clothing, Eating and Mobility for level one and two.

Because the Department is eliminating the 7.1% nursing wage adjustment factor (see 140.150) the costs associated with Sections 147.TABLE A and TABLE B are not estimated to increase the Department's annual aggregate expenditures in Fiscal Year 1992.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

6) Will these Proposed Amendments replace Emergency Amendments currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date?
____Yes X No

8) Do these Proposed Amendments contain incorporations by reference? Yes

9) Are there any other Proposed Amendments pending on this Part? No

Section Numbers	Proposed Action	Illinois Register Citation
147.TABLE A	Amendment	May 17, 1991 (15 Ill. Reg. 7501)
147.TABLE B	Amendment	May 17, 1991 (15 Ill. Reg. 7501)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel Leikvold, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

12) Initial Regulatory Flexibility Analysis:

A) Date Proposed Amendments were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: October 22, 1991

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

B) Types of small businesses affected: Medical Providers

C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.

D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page 16438.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part:

The Illinois Formulary for the Drug Product Selection Program

2) Code Citation: 77 Ill. Adm. Code 790

3) Section Numbers: Proposed Action:

790.40	Amendment
790.600	Amendment
790.799	Amendment
790.920	Amendment
790.1350	New Section
790.1388	New Section
790.1950	Amendment
790.2485	Amendment
790.2580	Amendment
790.2603	Amendment
790.2613	Amendment
790.2805	Amendment
790.3027	Amendment
790.3910	Amendment
790.4040	Amendment
790.5180	Amendment
790.5312	Amendment
790.5320	Amendment
790.5380	Amendment
790.5640	Amendment
790.6370	Amendment
790.7828	Amendment
790.8580	Amendment
790.9048	Amendment
790.9050	Amendment
790.9100	Amendment

4) Statutory Authority:

Implementing and authorized by Section 3.14 of the Illinois Food, Drug and Cosmetic Act (Ill. Rev. Stat. 1989, ch. 56 1/2, par. 503.14) and Section 25 of the Pharmacy Practice Act (Ill. Rev. Stat. 1989, ch. 111, par. 4145).

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

5) A Complete Description of the Subjects and Issues Involved:

Through this emergency rulemaking, the Illinois Department of Public Health amends various sections of the Illinois Formulary for the Drug Product Selection Program. Several new generic entities have also been concurrently included. These changes have been recommended by the Technical Advisory Council for the Drug Product Selection Program and have been published in the Twelfth Edition, Second Supplement of the Illinois Formulary.

This rulemaking will allow consumers and third party fiscal intermediaries (including the Department of Public Aid) to save money when purchasing or reimbursing prescription drug products. Drug purchases made by the Department of Corrections and the Department of Mental Health and Developmental Disabilities may also experience some savings. Pharmacies may have increased sales of generic drug products as approved in the Illinois Formulary.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? Yes.

7) Does this Rulemaking Contain an Automatic Repeal Date? No.

8) Does this Rulemaking Contain Any Incorporations By Reference? No.

9) Are there any other Proposed Amendments Pending on this Part? Yes.

Section Numbers	Proposed Action	Ill. Reg. Citation
790.600	Amendment	15 Ill. Reg. 11070
790.740	Amendment	15 Ill. Reg. 11070
790.910	Amendment	15 Ill. Reg. 11070
790.1127	Amendment	15 Ill. Reg. 11070
790.1350	New Section	15 Ill. Reg. 11070
790.1560	Amendment	15 Ill. Reg. 11070
790.1573	New Section	15 Ill. Reg. 11070
790.1870	New Section	15 Ill. Reg. 11070
790.1930	Amendment	15 Ill. Reg. 11070
790.2060	Amendment	15 Ill. Reg. 11070
790.2180	Amendment	15 Ill. Reg. 11070
790.2618	Amendment	15 Ill. Reg. 11070
790.2655	Amendment	15 Ill. Reg. 11070
790.2661	Amendment	15 Ill. Reg. 11070
790.2662	Amendment	15 Ill. Reg. 11070
790.2740	Amendment	15 Ill. Reg. 11070
790.2820	Amendment	15 Ill. Reg. 11070

790.2908	Repealer	15 Ill. Reg. 11070
790.3020	Amendment	15 Ill. Reg. 11070
790.3027	Amendment	15 Ill. Reg. 11070
790.3220	Amendment	15 Ill. Reg. 11070
790.3308	New Section	15 Ill. Reg. 11070
790.3340	Amendment	15 Ill. Reg. 11070
790.3420	Amendment	15 Ill. Reg. 11070
790.3540	Amendment	15 Ill. Reg. 11070
790.3620	Amendment	15 Ill. Reg. 11070
790.3720	Amendment	15 Ill. Reg. 11070
790.3907	Amendment	15 Ill. Reg. 11070
790.3910	Amendment	15 Ill. Reg. 11070
790.3945	Amendment	15 Ill. Reg. 11070
790.4140	Amendment	15 Ill. Reg. 11070
790.4385	New Section	15 Ill. Reg. 11070
790.4667	Amendment	15 Ill. Reg. 11070
790.4725	Amendment	15 Ill. Reg. 11070
790.4740	Amendment	15 Ill. Reg. 11070
790.4940	Amendment	15 Ill. Reg. 11070
790.5320	Amendment	15 Ill. Reg. 11070
790.5540	Amendment	15 Ill. Reg. 11070
790.5740	Amendment	15 Ill. Reg. 11070
790.5792	Amendment	15 Ill. Reg. 11070
790.5830	Amendment	15 Ill. Reg. 11070
790.5840	Amendment	15 Ill. Reg. 11070
790.5940	Amendment	15 Ill. Reg. 11070
790.6020	Amendment	15 Ill. Reg. 11070
790.6180	Amendment	15 Ill. Reg. 11070
790.6430	Amendment	15 Ill. Reg. 11070
790.6435	Amendment	15 Ill. Reg. 11070
790.6500	Amendment	15 Ill. Reg. 11070
790.6610	Amendment	15 Ill. Reg. 11070
790.6875	Amendment	15 Ill. Reg. 11070
790.7245	New Section	15 Ill. Reg. 11070
790.7278	Amendment	15 Ill. Reg. 11070
790.7280	Amendment	15 Ill. Reg. 11070
790.7294	Repealer	15 Ill. Reg. 11070
790.7340	Amendment	15 Ill. Reg. 11070
790.7380	Amendment	15 Ill. Reg. 11070
790.7828	Amendment	15 Ill. Reg. 11070
790.8106	Amendment	15 Ill. Reg. 11070
790.8140	Amendment	15 Ill. Reg. 11070
790.8420	Amendment	15 Ill. Reg. 11070
790.8710	Amendment	15 Ill. Reg. 11070
790.9048	Amendment	15 Ill. Reg. 11070
790.9056	Amendment	15 Ill. Reg. 11070

790.9084	Amendment	15 Ill. Reg. 11070
790.9320	Repealer	15 Ill. Reg. 11070
790.9460	Amendment	15 Ill. Reg. 11070

There is still an emergency in effect on Sections 790.600, 790.1350, 790.3027, 790.3910, 790.5320, 790.7828 and 790.9048 which are not affected by this set of emergency amendments. The emergency amendments appear at 15 Ill. Reg. 11194, effective July 19, 1991, for a maximum of 150 days. The copies filed in the Administrative Code Unit reflect both emergency rules.

10) Statement of Statewide Policy Objectives:

This proposed rulemaking neither creates nor expands a State mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Ms. Gail DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail DeVito at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

October 25, 1991

B) Type of Small Businesses Affected:

Outpatient pharmacies

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

As has always been the case with any instance of drug product selection, these proposed amendments would require appropriate documentation of generically interchanged prescriptions on the pharmacy prescription record.

D) Types of Professional Skills Necessary for Compliance:

Participants in the Drug Product Selection Program would need professional skills such as:

- an understanding of Illinois drug statutes, including the Illinois Food, Drug and Cosmetic Act and the Pharmacy Practice Act, and;
- an in-depth understanding of the issues concerning the bioequivalency of drug products, and;
- a license to practice pharmacy in the State of Illinois.

The Proposed Amendments are identical to the text of the Emergency Amendments which appear on page 16488of this issue of the Illinois Register.

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Automobile Renting Occupation Tax

2) Code Citation: 86 Ill. Adm. Code 180

3)

Section Numbers:	Proposed Action:
180.101	Amendment
180.130	Amendment
180.140	Amendment
180.145	Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 120, pars. 1701 et seq.

5) A Complete Description of the Subjects and Issues Involved: This rulemaking is a portion of the Department's continuing effort to keep its rules up-to-date. Generally, the rulemaking updates statutory references and corrects citations to the Department's Retailers' Occupation Tax rules that have changed as a result of recently-adopted amendments. Section 180.140(a) is amended pursuant to P.A. 87-14 to require that monthly returns will henceforth be required to be filed on or before the 20th day of each calendar month.

6) Will this proposed rule replace an emergency rule currently in effect: No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part: No

10) Statement of Statewide Policy Objectives: This rulemaking neither creates nor expands a State mandate.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:

Mr. R. Dale Yung
Administrator
Illinois Department of Revenue
Legal Services Bureau
101 West Jefferson
Springfield, Illinois 62708
Phone: (217) 782-6336

12) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: October 21, 1991

B) Types of small businesses affected: Any small business that engages in the renting of automobiles for periods of one year or less.

C) Reporting, bookkeeping or other procedures required for compliance: No additional reporting, bookkeeping or other procedures will be required as a result of this rulemaking.

D) Types of professional skills necessary for compliance: Basic bookkeeping skills.

The full text of the Proposed Amendment(s) begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 180
AUTOMOBILE RENTING OCCUPATION TAX

SUBPART A: NATURE OF THE TAX

Section
180.101 Character And Rate Of The Tax
180.105 Responsibility Of Trustees, Receivers, Executors Or Administrators
180.110 Occasional Rental Transactions
180.115 Habitual Rental Transactions

SUBPART B: GROSS RECEIPTS, AUTHORIZED DEDUCTIONS AND NONTAXABLE TRANSACTIONS

Section
180.120 The Meaning of Gross Receipts
180.125 Authorized Deductions from Gross Receipts
180.130 Nontaxable Transactions
180.135 Rentals for Re-rental

SUBPART C: RETURNS

Section
180.140 Monthly Tax Returns--When Due--Contents

SUBPART D: INCORPORATION BY REFERENCE

Section
180.145 Incorporation of Certain Retailers' Occupation Tax Regulations

AUTHORITY: Implementing the Automobile Renting Occupation and Use Tax Act (Ill. Rev. Stat. 1989, ch. 120, pars. 1701 et seq.) and authorized by Section 39b3 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 39b3).

SOURCE: Adopted and codified at 7 Ill. Reg. 9397, effective July 25, 1983; amended at 13 Ill. Reg. 9332, effective June 6, 1989; amended at _____ Ill. Reg. _____, effective _____.

SUBPART A: NATURE OF THE TAX

Section 180.101 Character And Rate Of The Tax

a) The Automobile Renting Occupation and Use Tax Act (Ill. Rev. Stat. 1987~~9~~, ch. 120, pars. 1701 et seq.) (the Act) imposes a tax upon persons engaged in this State in the business of renting automobiles in Illinois under lease terms of one year or less at the

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rate ~~of 4% of the gross receipts from such business on or after January 1, 1982. Effective September 1, 1985, such rentals are taxed at the rate~~ of 5% of the gross receipts from such business.

b) *"Automobile" means any motor vehicle of the first division, a motor vehicle of the second division which is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping or travel use, with direct walk through access to the living quarters from the driver's seat, or ~~any~~ a motor vehicle of the second division which is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of "The Illinois Vehicle Code"* (Ill. Rev. Stat. 1987~~9~~, ch. 95 1/2, par. 1-146.) (Section 2 of the Act) This includes motorcycles and motor driven cycles.

c) How To Determine Effective Rate

Automobile Renting Occupation Tax liability shall be computed by applying to the gross receipts from taxable rental transactions, the tax rate in effect during the rentee's possession of the rented automobile. Where a rate change takes effect during a rentee's possession, all rental receipts received from that rentee after the effective date of the rate change are subject to the new rate. If a rentee takes possession after a rate change in a rental transaction in which the rentor received rental receipts before the date of the rate change and the tax paid on such receipts when received by the rentor at the rate in effect when the rentor received those receipts, no additional tax will be due or credit allowed because the rentee took possession after the effective date of the rate change.

d) Effective Date of New Taxes

When something that has been exempted becomes taxable as to rental transactions that are made on and after some particular date, the date of rental for this purpose shall be deemed to be the date of possession or right to possession of the automobile. This is true even if such possession is taken under a contract that was entered into before the effective date of the new tax.

e) Relation of Automobile Renting Occupation Tax To The Automobile Renting Use Tax

1) The Automobile Renting Occupation Tax is an occupation tax, the legal incidence of which is on the rentor rather than on the rentee.

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2) However, the rentor becomes a tax collector under the Automobile Renting Use Tax and is required to collect that tax from rentees. In making that collection, rentors may rely on the tax collection schedules prescribed in the Department's Use Tax Regulations for the collection of the Use Tax by retailers from users. Consequently, the tax collection schedules set out in 86 Ill. Adm. Code ~~150.450 through 150.505~~ 150.Table A are incorporated by reference herein.

(Source: Amended at __ Ill. Reg. _____, effective _____)

SUBPART B: GROSS RECEIPTS, AUTHORIZED DEDUCTIONS AND NON-TAXABLE TRANSACTIONS

Section 180.130 Nontaxable Transactions

The tax does not apply to rental receipts from the following transactions:

a) *The renting of automobiles to any governmental body, nor to any corporation, society, association, foundation or institution organized and operated exclusively for charitable, religious or educational purposes, nor to any not-for-profit corporation, society, association, foundation, institution or organization which has no compensated officers or employees and which is organized and operated primarily for the recreation of persons 55 years or older;* (~~Ill. Rev. Stat. 1981, ch. 120, par. 1703.~~ Section 3 of the Act)

b) isolated or occasional automobile renting transactions;

c) the renting of automobiles under lease terms of more than one year;

d) the renting of motor vehicles which do not fall within the definition of ~~First Division motor vehicles in Section 1-146 of the Motor Vehicle Code (Ill. Rev. Stat. 1981, ch. 95, par. 1-146.)~~ automobile as set forth in Section 180.101(b);

e) transactions protected by the Commerce Clause of the United States Constitution (U.S. Const. art. 1, sec. 8, cl. 3);

f) transactions in which the rentor furnishes the service of operating the automobile, so that the rentor or the rentor's agent remains in possession of the automobile;

g) transactions in which an automobile dealer makes a charge for the use of an automobile as a demonstrator in connection with that dealer's business of selling automobiles so long as the charge is

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made only to recover the costs of operating the automobile as a demonstrator;

h) the renting of automobiles under lease terms of one year of less to persons who will re-rent those automobiles to others under lease terms of one year or less.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

SUBPART C: RETURNS

Section 180.140 Monthly Tax Returns-When Due-Contents

a) On or before the ~~the last~~ twentieth day of each calendar month, every person engaged in the business of renting automobiles in this State during the preceding calendar month shall file a return with the Department for such preceding month, stating the name of the rentor; his residence address and the address of the principal place of business (if that is a different address) from which he engages in the business of renting automobiles in this State. Under the same circumstances set out in 86 Ill. Adm. Code 130.510, the Department may authorize the filing of returns on an annual basis. However, all taxpayers are required to file on an annual basis.

b) The return shall:

1) disclose total receipts for the month from the renting of automobiles;

2) itemize deductions authorized by law;

A) receipts from rentals to governmental bodies (Federal, State, local or Foreign) or to any organization which is exclusively charitable, religious or educational, or to any not-for-profit organization which has no compensated officers or employees and which is organized and operated primarily for the recreation of persons 55 years or older;

B) receipts from rentals of automobiles under lease terms of more than one year;

C) receipts from rental transactions which are within the protection of the Commerce Clause of the Constitution of the United States;

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D) receipts from rentals of automobiles under lease terms of one year or less to rentees who will re-rent those auto mobiles to others under lease terms of one year or less;

E) receipts from rentees in consideration of waivers of claims for loss or damage to automobiles rented;

F) receipts from separately stated charges for insurance;

G) receipts from separately stated charges for recovery of refueling costs;

H) any other deductions authorized by law, however, no deduction may be taken on account of the cost of the property rented, the cost of materials used, labor or service or any other expense whatsoever;

c) disclose total deductions authorized by law;

d) disclose total receipts from taxable transactions, including amounts collected from rentees in the form of Automobile Renting Use Tax or passed on because of the Automobile Renting Occupation Tax or passed on because of local Automobile Renting Occupation Taxes (i.e., Municipal, County, Regional Transportation Authority or Metro East Mass Transit District Automobile Renting Occupation Taxes);

e) deduct the amount collected from rentees in the form of Automobile Renting Use Tax or passed on because of the Automobile Renting Occupation Tax or passed on because of local Automobile Renting Occupation Taxes;

f) disclose the rental receipts subject to tax;

g) disclose the amount of State tax due;

h) as to the Automobile Renting Occupation Tax, the taxpayer may deduct ~~2~~1.75% thereof as an allowance to reimburse the taxpayer for expenses incurred in keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. The minimum discount, over the entire period of any given calendar year, for any single taxpayer (if the taxpayer incurs that much tax liability) shall be $5.00 for such calendar year. This allowance is available when the tax remitted is with a return that is filed when due under the Act, but is not available in any case in which

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the tax is paid late (with or without a return, and whether formally assessed by the Department or not);

i) disclose the balance of tax due;

j~~10~~) disclose the amount of penalty (if any) that is due and the total of the tax and penalty due.

(Source: Amended at __ Ill. Reg. _____, effective _____)

SUBPART D: INCORPORATION BY REFERENCE

Section 180.145 Incorporation of Certain Retailers' Occupa-tion Tax Regulations

a) The substance and provisions of the Illinois Retailers' Occupation Tax Regulations ~~set out~~ cited in this ~~Regulation~~ Part are incorporated herein by reference and are made a part hereof. For purposes of this incorporation, references in the incorporated Retailers' Occupation Tax Regulations to:

1) person engaged in the business of selling tangible personal property at retail mean persons engaged in the business of renting automobiles for periods of one year or less for valuable consideration;

2) sellers and retailers mean automobile rentors;

3) users or purchasers mean rentees;

4) sales or sales at retail mean automobile rentals under lease terms of one year or less;

5) the Retailers' Occupation Tax Act means the Automobile Renting Occupation Tax Act.

b) On that basis, the following Sections and Subparts of Part 130 of Title 86 of the Illinois Administrative Code are incorporated herein:

130.505(a)

130.510

130.515

130.520

130.525

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130.530 except that references to Retailers' Occupation Tax Return Form ~~RR-1-B~~ ST-1 shall mean Automobile Renting Occupation Tax Return Form ART-1 and except that references to Form ~~RR-2~~ ST-2 shall mean Form ART-2.

130.535(a)

130.545

Subpart F except Subsection 130.605(a)(4), except Subsection 130.605(e)(2) and except that references to "offers to sell" and "offers or counter offers to purchase" shall all mean "offers to rent".

Subpart G except for ~~Subsection 130.701(d)(1)~~ Section 130.701(e) and except for Section 130.740.

Subpart H except for the reference to services in Subsection 130.810(a) and except for the reference to resale number in Subsection 130.810(c). In addition, the reference to exemptions from Retailers' Occupation Tax in Subsection 130.810(a) means exemptions from Automobile Renting Occupation Tax and references to "sale(s) for resale" and "resell" in Section 130.810 mean "automobile rental(s) for re-rental under lease terms of one year or less" and "re-rent".

Subpart I ~~except for the provisions in Section 130.901 which refer to penalties on tax liability incurred before July 1, 1965 and~~ except for those provisions in Section 130.905(a) and (b) which refer to interest being due at less than 2% per month.

Subpart J

Subpart K

Subpart L

Subpart M

Subpart O

Subpart P except for Section 130.1605

Subpart Q

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Subpart R

130.2005(d)(2) and (e) through (r) except that reference to suppliers of nonprofit organizations shall mean persons who rent automobiles to nonprofit organizations under lease terms of one year or less.

(Source: Amended at __ Ill. Reg. _____, effective _____)

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1) Heading of the Part: Automobile Renting Use Tax Regulations

2) Code Citation: 86 Ill. Adm. Code 190

3) Section Numbers: Proposed Action:

190.101	Amendment
190.110	Amendment
190.120	Amendment
190.170	Amendment
190.175	Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 120, par. 1701 et seq.

5) A Complete Description of the Subjects and Issues Involved: This rulemaking is a portion of the Department's continuing effort to keep its rules up-to-date. Generally, the rulemaking updates statutory references and corrects citations to the Department's Retailers' Occupation Tax rules that have changed as a result of recent amendments. Section 190.170(a) is amended pursuant to P.A. 87-14 to require that monthly returns will henceforth be required to be filed on or before the 20th day of each calendar month.

6) Will this proposed rule replace an emergency rule currently in effect: No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part: No

10) Statement of Statewide Policy Objectives: This rulemaking neither creates, nor expands a State mandate.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:.

Mr. R. Dale Yung
Administrator
Illinois Department of Revenue
Legal Services Bureau
101 West Jefferson
Springfield, Illinois 62708
Phone: (217) 782-6336

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12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: October 21, 1991

B) Types of small businesses affected: Any small business that engages in the renting of automobiles for periods of one year or less.

C) Reporting, bookkeeping or other procedures required for compliance: No additional reporting, bookkeeping or other procedures will be required as a result of this rulemaking.

D) Types of professional skills necessary for compliance: Basic bookkeeping skills.

The full text of the Proposed Amendment(s) begins on the next page:

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TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 190
AUTOMOBILE RENTING USE TAX ~~REGULATIONS~~

SUBPART A: NATURE OF THE TAX

Section
190.101 Description, Rate and Base of the Tax
190.105 Relation of Automobile Renting Use Tax to Automobile Renting Occupation Tax
190.110 Collection of the Tax from Rentees by Automobile Rentors Maintaining a Place of Business in This State
190.115 Accounting for the Tax
190.120 How to Avoid Paying Tax on Automobile Renting Use Tax Collected from the Rentee

SUBPART B: EXEMPT AUTO RENTING USES AND AUTO RENTEE NOT SUBJECT TO THE TAX

Section
190.125 Exemptions to Avoid Multi-State Transactions
190.130 Non-Resident Exemptions
190.135 Meaning of "Rented Outside This State"
190.140 Exempt Rentees

SUBPART C: RECEIPT FOR THE TAX

Section
190.145 Receipt

SUBPART D: INFORMATION CONCERNING PAYMENT OF THE AUTOMOBILE RENTING USE TAX

Section
190.150 How the Tax is Paid
190.155 Procedure to Obtain Letter Ruling Documenting Exemption

SUBPART E: REGISTRATION OF OUT-OF-STATE RENTORS

Section
190.160 When Out-of-State Rentors Must Register to Collect Automobile Renting Use Tax
190.165 Voluntary Registration by Out-of-State Rentors

SUBPART F: RENTORS' RETURNS

Section
190.170 When and Where to File

SUBPART G: INCORPORATION BY REFERENCE

Section

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190.175 Incorporation of Certain Sections of 86 Ill. Adm. Code

AUTHORITY: Implementing the Automobile Renting Occupation and Use Tax Act (Ill. Rev. Stat. 1989, ch. 120, pars. 1701 et seq.) and authorized by Section 39b3 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 39b3).

SOURCE: Adopted at 9 Ill. Reg. 13098, effective August 12, 1985; amended at ___ Ill. Reg. _____, effective _____.

SUBPART A: NATURE OF TAX

Section 190.101 Description, Rate and Base of the Tax

a) The Automobile Renting Use Tax (Section 4 of the Automobile Renting Occupation and Use Tax Act (the Act) Ill. Rev. Stat. 1989, ch. 120, par. 1701 et seq.) is a tax imposed upon the privilege of using, in this State, an automobile rented from an automobile rentor under lease terms of one year or less. The tax is imposed at the rate of 45% of the rental price paid to the rentor.

b) "Use" means any incident of control by a rentee, including the possession or the right to possession, over an automobile pursuant to a rental agreement for that automobile under a rental term of one year of less.

c) However, if the automobile rentor from whom the automobile is rented would not be taxable under the ~~Automobile Renting Occupation and Use Tax~~ Act (~~Ill. Rev. Stat. 1983, ch. 120, pars. 1701 et seq.~~) despite all elements of the rental transaction occurring in Illinois, then the tax imposed by the ~~Automobile Renting Occupation and Use Tax~~ Act shall not apply to the use of the rented automobile in this State. For example, a rentee of an automobile from a rentor who qualifies as an isolated or occasional rentor so as not to incur Automobile Renting Occupation Tax liability does not incur Automobile Renting Use Tax liability when using that rented automobile in Illinois.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 190.110 Collection of the Tax from Rentees by Automobile Rentors Maintaining a Place of Business in This State

a) The Automobile Renting Use Tax must be collected from rentees by all rentors maintaining a place of business in this State. "Rentor maintaining a place of business in this State" shall mean and include any automobile rentor having or maintaining in this State, directly or by a subsidiary, an office, distribution point, warehouse or other facility or place of business, or any agent or other representative operating in this State under the authority of the rentor or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such rentor or subsidiary is licensed to do business in this State. The term "rentor maintaining a place of business in this State" has the same scope and effect as does the term "retailer maintaining a place of business in this State" by virtue of the incorporation of Section 2 of the Use Tax Act (Ill. Rev. Stat. 1989, ch. 120, par. 439.2) into Section 4 of the Act.

b) It does not matter that an agent may engage in business on his own account in other transactions, or that the agent may act as agent for other persons in other transactions, or that the agent is not an employee but is an independent contractor acting as agent. The term "agent" is broader than the term "employee". "Agent" includes anyone acting under the principal's authority in an agency capacity.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 190.120 How to Avoid Paying Tax on Automobile Renting Use Tax Collected from the Rentee

a) Taxable rental receipts, on the basis of which Automobile Renting Use Tax must be collected and remitted to the Department in transactions that are subject to the Automobile Renting Use Tax despite being exempt from the Automobile Renting Occupation Tax because of interstate commerce, do not include separately stated charges which are added to the rental price on account of the rentor's duty to collect the Automobile Renting Use Tax.

b) If a rentor does not keep a detailed record for the return period of the Automobile Renting Use Tax which he collects so as clearly to segregate these added charges from other receipts, absent information to the contrary, it will be assumed that the Automobile Renting Use Tax collected equals 45% of the taxable receipts received in such return period from taxable automobile rentals if the rentor collects the Automobile Renting Use Tax in accordance with the bracket system prescribed by the Department in 86 Ill. Adm. Code ~~150.Subpart D~~150.Table A, and states such tax to rentees separately from the rental price of the automobile as the rentor is required to do.

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c) The rentor may eliminate the amount of Automobile Renting Use Tax he collects from total rental receipts to arrive at his taxable rental receipts by subtracting the amount collected from the rentee as Automobile Renting Use Tax, as shown by such rentor's books and records, from those total rental receipts. The rentor may also accomplish this result by subtracting, from the total rental receipts which he receives from taxable automobile rentals, the figure obtained by dividing such rental receipts by ~~104~~ 105 and multiplying the result by 45.

d) In collecting the Automobile Renting Use Tax from a rentee, the rentor must state the tax *as a distinct item separate and apart from the rental price of the automobile.* If the tax is not stated as a separate item, it will be irrebutably presumed that the tax was not collected from the rentee, and the rentor will be entitled to no deduction from total rental receipts for collection of the tax from the rentee. The best evidence that the tax was stated as a separate item is a receipt given to the rentee which shows the tax *as a distinct item separate and apart from the rental price of the automobile.* (~~Ill. Rev. Stat. 1983, ch. 120, par. 1704~~ Section 4 of the Act).

(Source: Amended at __ Ill. Reg. _____, effective _____)

SUBPART F: RENTORS' RETURNS

Section 190.170 When and Where to File

a) Every rentor required or authorized to collect the Automobile Renting Use Tax must file a return each month by the ~~last~~ twentieth day of the month covering the preceding calendar month, except when the rentor is authorized to file returns on an annual basis as hereinafter provided. The return shall be filed on a form prescribed by the Department.

b) Since Automobile Renting Occupation Tax and Automobile Renting Use Tax are due only as and when rental receipts are actually received, the rentor, in collecting Automobile Renting Use Tax, may collect, for each return period, only the tax applicable to those rental receipts actually received during the return period.

c) If the rentor's average monthly tax liability to the Department does not exceed ~~$20.00~~ 50.00, the Department may authorize returns to be filed on an annual basis, with the return for a given year due by January ~~31~~ 20 of the following year.

d) Annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

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(Source: Amended at __ Ill. Reg. _____, effective _____)

SUBPART G: INCORPORATION BY REFERENCE

Section 190.175 Incorporation of Certain Sections of 86 Ill. Adm. Code

a) The substance and provisions of the Sections of 86 Ill. Adm. Code set out below are incorporated herein by reference and are made a part hereof. For purposes of this incorporation, references in the incorporated sections to:

1) persons engaged in the business of selling tangible personal property at retail mean persons engaged in the business of renting automobiles for periods of one year or less for valuable consideration;

2) sellers and retailers mean automobile rentors;

3) users and purchasers mean automobile rentees;

4) sales or sales at retail mean automobile rentals under lease terms of one year or less;

5) the Retailers' Occupation Tax Act (Ill. Rev. Stat. ~~1983~~ 1989, ch. 120, pars. 440 et seq.) means the Automobile Renting Occupation and Use Tax Act.

6) the Use Tax Act (Ill. Rev. Stat. ~~1983~~ 1989, ch. 120, pars. 439.1 et seq.) means the Automobile Renting Occupation and Use Tax Act;

7) selling price means receipts from the rental of automobiles under lease terms of one year or less;

8) purchase price means the rental price paid to an automobile rentor for the rental of an automobile under lease terms of one year or less, and

9) returns mean Automobile Renting Use Tax returns or that portion of the Automobile Renting Occupation Tax Return on which Automobile Renting Use Tax can be reported.

b) On that basis, the following Sections and Subparts of Part 150 of 86 Ill. Adm. Code (Use Tax Regulations) are incorporated herein:

86 Ill. Adm. Code 150.120
~~86 Ill. Adm. Code 150.450~~

~~86 Ill. Adm. Code 150.455~~
~~86 Ill. Adm. Code 150.460~~
~~86 Ill. Adm. Code 150.465~~
~~86 Ill. Adm. Code 150.470~~
~~86 Ill. Adm. Code 150.475~~
~~86 Ill. Adm. Code 150.480~~
~~86 Ill. Adm. Code 150.485~~
~~86 Ill. Adm. Code 150.490~~
~~86 Ill. Adm. Code 150.495~~
~~86 Ill. Adm. Code 150.500~~
~~86 Ill. Adm. Code 150.505~~
86 Ill. Adm. Code 150.510
86 Ill. Adm. Code 150.515
86 Ill. Adm. Code 150.520
86 Ill. Adm. Code 150.1001
86 Ill. Adm. Code 150.1301
86 Ill. Adm. Code 150.1305 — except for references to the impossibility of showing the tax as a separate item and except for language authorizing the posted sign method of showing tax as a separate item.

86 Ill. Adm. Code 150.1315
86 Ill. Adm. Code 150: Subpart M
86 Ill. Adm. Code 150.Table A

c)

86 Ill. Adm. Code 180.101 - except subsection (a) and except that the reference in subsection (c) to Automobile Renting Occupation Tax means Automobile Renting Use Tax.

86 Ill. Adm. Code 180.125 - except that the reference to gross receipts on which the Automobile Renting Occupation Tax must be computed means rental price on which Automobile Renting Use Tax must be computed.

86 Ill. Adm. Code 180.130
86 Ill. Adm. Code 180.135 - except that the reference to exemption from Automobile Renting Occupation Tax in subsection (a) means exemption from Automobile Renting Use Tax.

d) One the same basis, the following Sections and Subparts of 86 Ill. Adm. Code 130 (Retailers' Occupation Tax Regulations) are incorporated herein:

86 Ill. Adm. Code 130.505(a)
86 Ill. Adm. Code 130.510
86 Ill. Adm. Code 130.515
86 Ill. Adm. Code 130.520
86 Ill. Adm. Code 130.525
86 Ill. Adm. Code 130.535(a)
86 Ill. Adm. Code 130.545
~~86 Ill. Adm. Code 130.701(d)(2)(A)~~
~~86 Ill. Adm. Code 130.701(d)(2)(B)~~
~~86 Ill. Adm. Code 130.701(d)(3)(A)~~
~~86 Ill. Adm. Code 130.701(d)(3)(B)~~
~~86 Ill. Adm. Code 130.701(d)(4)~~
~~86 Ill. Adm. Code 130.701(d)(5)~~
86 Ill. Adm. Code 130.701(f)(1)
86 Ill. Adm. Code 130.701(f)(2)
86 Ill. Adm. Code 130.701(f)(3)
86 Ill. Adm. Code 130.701(g)
86 Ill. Adm. Code 130.710
86 Ill. Adm. Code 130.725
86 Ill. Adm. Code 130.730
86 Ill. Adm. Code 130.735
86 Ill. Adm. Code 130.745

86 Ill. Adm. Code 130: Subpart H — except for subsection 810(c) and except for the reference to sales for resale and the reference to services in subsections 130.810(a) and (b). In addition, the reference to exemptions from Retailers' Occupation Tax in subsection 130.810(a) means exemption from Automobile Renting Use Tax liability.

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86 Ill. Adm. Code 130: Subpart I ~~except for the provisions in Section 130.901 which refer to penalties on tax liability incurred before July 1, 1965, and~~ except for those provisions in subsections 130.905(a) and (b) which refer to interest being due at less than 2% per month.

86 Ill. Adm. Code 130: Subpart J
86 Ill. Adm. Code 130: Subpart L
86 Ill. Adm. Code 130: Subpart M
86 Ill. Adm. Code 130: Subpart O
86 Ill. Adm. Code 130: Subpart P except for Section 130.1605
86 Ill. Adm. Code 130: Subpart Q
86 Ill. Adm. Code 130: Subpart R

(Source: Amended at __ Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

1) The Heading of the Part: The Illinois Library System Act

2) Code Citation: 23 Ill. Adm. Code 3030

3) Section Numbers: 3030.50 Proposed Action: Amendment

4) Statutory Authority: Implementing and authorized by the Illinois Library System Act (Ill. Rev. Stat. 1989, ch. 81, pars. 111 et seq.)

5) A Complete Description of the Subjects and Issues Involved: Service standards for basic services of the Illinois library systems are stated, and the process for system transfer requests are clarified.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? ___Yes _X_No

8) Does this proposed rule contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objective:
This amendment establishes Standards For The Services of Illinois Multitype Systems as objectives to be met by the systems within a five year time frame in accord with plans adopted by the systems and approved by the State Library. Systems will be able to achieve the standards by adequate state funding, by internal reallocation of resources by the systems, by intersystem cooperative services or some combination of the foregoing. If a system cannot meet the standards within the five years, the time for achieving the standards may be extended by agreement between the system and the State Library.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: The agency finds that public hearings will facilitate the submission of comments regarding this proposed rulemaking. Hearings will be held at the following times:

Tuesday, November 26, 1991, State of Illinois Center, Room #9-031, Chicago, Illinois 1:00 p.m. - 3:00 p.m.

Monday, December 9, Illinois State Library, Room #403, 300 South Second Street, Springfield, Illinois 10:00 a.m. - Noon

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Persons interested in commenting on the proposed amendment at a hearing are advised that the agency will adhere to the following procedures in the conduct of the hearing:

1. Each person presenting oral testimony will be limited to ten (10) minutes for presentation of such testimony. Priority will be given to those persons who have notified the agency in advance of the hearing date of their intent to testify at the hearing.

2. A copy of the comments presented at a hearing should be submitted in writing at the time of the oral testimony.

3. Questions regarding this hearing and notification of intent to present comments should be directed to:

   Kathleen L. Bloomberg
   Associate Director, Library Development Group
   Illinois State Library
   300 South Second Street
   Springfield, Illinois 62701
   (217) 782-7848

4. Persons who cannot attend the hearing but who wish to comment on the proposed amendment may do so by submitting written comments to the agency within thirty days of publication of the notice. Written comments should be submitted to the attention of Kathleen Bloomberg at the above address.

12) Initial Regulatory Flexibility Analysis? This rulemaking does not affect small businesses.

The full text of the Proposed amendment begins on the next page.

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE B: CULTURAL RESOURCES
CHAPTER I: SECRETARY OF STATE

PART 3030
THE ILLINOIS LIBRARY SYSTEM ACT

Section
3030.10 Definitions
3030.15 Forms
3030.20 Administration of the Act: Hearings
3030.25 Establishment of Systems
3030.30 Geographic Boundaries
3030.35 Membership in a Library System
3030.40 Contracting Libraries
3030.45 Accessing Resources and Services
3030.50 Service Standards
3030.55 Service to State Institutions
3030.60 Services to the Physically Disabled (Repealed)
3030.65 Plan of Service for a Cooperative or Multitype Library System
3030.70 Plan of Service for a Public Library System
3030.75 Conversion of a Cooperative Public Library System or a Public Library System to a Multitype Library System
3030.80 Liquidation
3030.85 Merger
3030.90 Finances and Records
3030.95 Governing Board
3030.100 Rules
3030.105 State Grants
3030.110 Revocation of Approval
3030.115 Suspension of a Library from Membership
3030.120 Transfer of Membership
3030.125 Withdrawal of Membership
3030.130 Annual System Reports

AUTHORITY: Implementing and authorized by The Illinois Library System Act (Ill. Rev. Stat. 1989, ch. 81, pars. 111 et seq.)

SOURCE: Rules and Regulations for Library Systems and State Aid adopted November 8, 1965; rules repealed, new rules adopted and codified at 8 Ill. Reg. 16914, effective September 4,1984; amended at 13 Ill. Reg. 1244, effective January 15, 1989; amended at 14 Ill. Reg. 20066, effective December 1, 1990; amended at _____Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

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Section 3030.50 Service Standards

Each System shall implement the following service standards:

~~a) Identify with distinctive marking library materials purchased with system headquarter's funds as property of the system;~~

~~b) Maintain an interlibrary loan and reference service program which fills a majority of requests of the system service area from within the system;~~

a) **Implementation of Standards for System Agencies**

1) FY92-93 -- System agencies are expected to meet standards designated by the State Librarian in 1991 by June 30, 1993. System agencies must continue to meet these standards in subsequent years. If they cannot meet these designated standards they must have submitted a plan, accepted by the State Librarian, which explains how the standards will be met.

2) FY93 -- System agencies must submit to the State Librarian a report outlining implementation plans for the remaining standards by June 30, 1993.

3) FY94-95 -- System agencies must annually report progress toward meeting the agreed upon standards to the State Librarian.

4) FY96 -- System agencies are expected to have met all the standards by this date, or the system agency must have submitted a plan, accepted by the State Librarian, that explains how the remaining standards will be met.

b) **Addressing Standards**

1) Existing system agency staff as of July 1, 1991 are grandfathered in for purposes of experience and educational background requirements. The staffing levels outlined in the standards do not demand that every staffing requirement be addressed by employing a full-time person. As an example, the same staff member may be responsible for Bibliographic Access (f) 5) A)) and Reciprocal Access (k) 20) A)).

2) The Illinois State Library will work closely with the library systems in addressing the staffing needs and recognize that plans may need to be developed in FY96 to outline how any remaining staffing standards will be addressed.

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c) **Implementation For Member Libraries**

1) System member libraries should provide, as determined by the library systems of which they are a member, the library services that either meet or make progress toward meeting the membership responsibilities defined in these standards.

2) Each library system shall submit to the State Librarian by July 1, 1992 a plan for implementation of these responsibilities by member libraries. This plan will designate priorities among listed responsibilities. The plan shall provide that individual libraries that cannot meet the system priorities within the timeframe set by the system can adopt a plan, accepted by the library system, to meet the responsibilities within a longer timeframe.

d) **General Administrative Standards**

1) Library System Board of Directors

A) The system board of directors shall represent the system members as a whole and not individual libraries or type of library.

B) The system board shall periodically review the proportion of the library interests represented on the library board.

C) The system board and staff shall conduct a comprehensive orientation program for new system board members.

D) The system board members shall participate in continuing education events such as system and regional workshops and state and national conferences.

E) The system board shall meet a minimum of nine times per year.

F) Board meetings and committee meetings shall be publicized to all members in a timely manner so that members and systems staff shall have opportunity to attend.

G) The board shall adopt rules and policies in accordance with the Illinois Secretary of State Rules for Library Systems and shall codify and disseminate them.

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H) The board shall regularly review the by-laws, rules and policies and revise them as needed.

I) The board shall regularly review the membership eligibility criteria to ensure that they are equitable, nondiscriminatory and within the control of the library.

J) The system board of directors shall be an advocate for libraries, uphold intellectual freedom and promote legislation of benefit to libraries.

2) Staff and Resources

A) The system board shall employ an executive director, reporting to and accountable to the system Board, who holds a master's degree from an A.L.A.-accredited library education program and who has at least five years postgraduate employment that includes responsible library administrative experience.

B) The executive director shall hire qualified staff in sufficient numbers on all levels for all purposes and provide necessary training when appropriate.

C) The system agency shall have a competitive compensation plan for the staff.

D) The system agency shall provide adequate facilities and equipment to support its services and staff.

E) The staff on the system agency shall be evaluated annually in writing.

3) Communications

A) The executive director shall provide the system board of directors with timely information needed for policy decisions.

B) The system agency staff shall ensure timely publication of information that affects all types of libraries.

4) Planning and Evaluation

A) The system agency shall ensure that all system members have opportunities for input into or comment on system plans of service, plans of cooperation, long-range

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plans, and program designs including budgetary information before such plans are finally adopted.

B) The system agency shall utilize these standards to evaluate core system services and administrative services.

C) The system agency shall keep statistics measuring its services.

D) The system agency will annually review the progress being made toward providing library service to all the residents of its geographic area.

5) Interagency Relations

A) The system agency shall maintain regular communications with other system agencies and the Illinois State Library, sharing information on all matters relating to system operations.

B) The system agency shall cooperate with other library and non-library agencies on matters of mutual interest and benefit, especially in areas where contracts or programs of service are effective means of using limited financial resources.

6) Management

A) The system agency shall foster awareness of current library developments and management trends.

B) The system agency shall regularly explore the most cost-effective approaches to services and administration. It shall adopt management procedures which ensure that it gets the best results for reasonable costs.

C) The system agency shall ensure that non-member libraries are aware of the advantages of system membership and encourage them to become members.

D) System financial resources shall be used to benefit members and shall not be used to reimburse libraries for services provided as a membership obligation to their primary clientele.

7) Member Library Responsibilitie

A) Member libraries should participate fully in the system representation plan and provide the name of a qualified, committed representative for selection of the system board when expected to do so according to the plan.

B) Member libraries should fulfill their responsibilities under the system plan of service or make measurable acceptable progress toward fulfilling them.

C) Member libraries should assess possibilities for library service to the unserved.

D) Member libraries should participate in the system decision-making process through attending meetings, responding to surveys and serving on committees.

E) Member libraries should continue local support for their own library services and not reduce such support as a result of membership in the system.

e) Automation/Technology

1) Automation Technology - Administration and Service

A) The system agency shall have an operational automation plan that complements the Plan For Funding Automated Resource Sharing in Illinois Libraries (Illinois State Library Automation Committee, 1988).

The operational plan shall:

i) identify areas of responsibility of the system agency and member libraries;

ii) identify consultant services by type of assistance and individual consultants;

iii) address the goal of universal interface;

iv) outline criteria for testing and implementing new technologies;

v) include an automation technology disaster and security plan.

B) The system agency shall facilitate opportunities for members to participate in a shared automation system.

C) The system agency shall provide for

demonstrations of appropriate technological advances for member libraries in convenient locations at least once per year.

2) Automation Technology - Staff and Resources

A) The system agency shall provide for one or more consultants to advise member libraries on evaluating the use of automation/technology in improving library services and in addressing the system automation plan.

B) System automation consultants who specialize in automation/technology consulting shall meet the following minimum qualifications:

i) a masters degree in a pertinent subject area: for example, ALA-accredited MLS or Master of Science in computer science or information technology).

ii) at least three years of recent and pertinent professional experience in an automation/technology field.

C) System consultants shall have at least 30 contact hours of continuing education each year excluding attendance at general library conferences.

3) Automation Technology - Membership Responsibilities

A) Member libraries should fulfill their responsibilities as identified in the system automation plan.

f) Bibliographic Access

1) Bibliographic Access - Administration and Service

A) The system agency shall have an operational plan for maximizing bibliographic access to member libraries.

The operation plan shall:

i) state the system agency goals and objectives in its provisions for bibliographic access (including the priorities of the various subjects and of resources);

ii) indicate the means of achieving these goals and objectives, the priorities and a schedule for their achievement;

iii) assign responsibilities for the implementation,

evaluation and annual review and revision of the plan.

iv) identify how automated online access to unique holdings can be provided, including a timetable for achieving access.

B) The system agency shall have an operational cooperative collection management plan that complements the statewide plan.

The operational plan shall:

i) describe the means of continuously identifying desired bibliographic resources not currently available in the collection of system members;

ii) identify existing unique resources to be preserved/retained;

iii) set up a system-wide collection management framework.

C) The system agency shall have ready electronic access to the automated library resources of the agency and member libraries.

D) The system agency shall participate in the computerized linking of bibliographic databases.

E) The system agency shall coordinate the development of protocols for use of the member's bibliographic databases.

F) The system agency shall promote and encourage computerized public access to the system's bibliographic database(s).

2) Bibliographic Access - Staff and Resources

A) The system agency shall assign a professional staff member to be responsible for the system's bibliographic access activities under the plan.

B) The system agency shall provide a directory of the bibliographic databases accessible within the system.

C) The system agency will work with member libraries in promoting the cataloging of library materials in MARC format when entered into bibliographic databases.

D) The system agency shall have online access to national and international bibliographic databases.

3) Bibliographic Access - Membership Responsibilities

A) Member libraries should have bibliographically organized collections of library materials, cataloged in accordance with national standards including Anglo-American Cataloging Rules, 2nd edition; Library of Congress or Sears subject headings in most cases; and MARC (Machine readable cataloging) format if automated in order to facilitate access by other members.

B) Member libraries' computerized bibliographic records should be input according to the standards specified in the Illinois State Library's Plan for Funding Automated Resource Sharing in Illinois Libraries.

i) Bibliographic control for the Illinois library automation network must be based upon standardized cataloging rules (currently AACR2, level 2) and compatibility with the MARC format.

ii) The following fields should also be used when entering new holdings into local, library system and state databases: ISBN/ISSN, Library of Congress Card Number -LCCN (preferable) and OCLC number, if available. The entry of these specific elements in the database records will facilitate resource sharing throughout the state.

C) Member libraries should participate in the system bibliographic access and cooperative collection management plans.

g) Consulting

1) Consulting - Administration and Service

A) The system agency shall have an operational plan that describes consulting services offered to member libraries.

The operational plan shall:

i) identify the consulting services provided;

ii) identify the individual(s) of the system staff or as otherwise designated by the system as the provider of the consulting service in

each of the core service and general consulting areas;

iii) describe the means that the system has chosen to deliver the service including shared consulting services with other systems;

iv) state the level of consulting assistance that can be expected.

B) The system agency shall provide consulting service in each of the core service areas and the following general areas--Collection Management, Establishment, Expansion and Development of Library Service, Grants Development, Interlibrary Cooperation Activities, Legislation/law, Library and Personnel Administration, Marketing of Library Service, and Planning and Budgeting and in such areas as the respective system needs assessment may indicate.

C) System consultants shall acknowledge requests for consulting within two working days.

D) System consulting service shall satisfy at least 90 percent of consulting requests in the core and general consulting areas listed in Standard (g) 7) B)) and in other areas as outlined in the system plan of consulting service.

E) System consulting service shall satisfy the percentage indicated in these standards of requests for consulting within five working days or negotiate a different time limit with the persons(s) making the request.

2) Consulting - Staff and Resources

A) System consultants or other persons designated by the system to consult in the general consulting areas, as specified in (g) 7) B)), shall possess the following minimum qualifications:

i) a fifth-year degree from an ALA-accredited library program, or if the consultant is not a librarian, the degree or other formal educational qualification generally accepted by the practitioners of that profession or occupational specialty as the minimum acceptable for such practitioner;

ii) at least three years' relevant experience in the consultant's designated area(s) of expertise;

iii) demonstrated experience in effective written and oral communication as well as group process techniques.

B) Each system having 100 or fewer members shall employ, contract for, or otherwise provide a minimum of three full-time equivalent (FTE) consultants, excluding the executive director. Each system having more than 100 members shall employ or contract for at least three FTE consultants, excluding the executive director for the first 100 members and at least one additional consultant for each additional 50 members or any fraction of that number.

C) Each full-time consultant shall spend at least 30 contact hours and each part-time consultant shall spend at least the proportional amount of contact hours, in each calendar year attending workshops, seminars, classes, etc., to improve specific skills relevant to the consulting assignment.

D) Each consultant on the system's staff shall spend at least five days annually in attendance at regional, state, national or international professional meetings relevant to the consultant's profession at system expense.

3) Consulting - Membership Responsibilities

A) Personnel in member libraries should be willing to share expertise with other member libraries.

B) Member libraries should be fully cognizant of the scope of the consulting services available through the system agency.

C) Member libraries should provide input on consulting needs to be addressed so that they may be included in the system plan.

h) Continuing Education (CE)

1) Continuing Education - Administration and Service

A) The system agency shall have a continuing education operational plan of service.

The operational plan shall:

i) describe the levels of continuing education for staff of all types of libraries;
ii) include programs convenient in time and place for target audience;
iii) provide opportunities for cosponsorship of events.
iv) identify a mechanism for determining priorities for continuing education;
v) provide for a method for annual review of programming needs;
vi) provide a mechanism for keeping track of continuing education credit.

B) The system agency shall maintain a continuing education calendar.

C) The system agency shall annually assess continuing education needs of members and design continuing education events to meet those needs on a timely basis.

D) The system agency shall annually provide or cosponsor at least 50 contact hours of continuing education for staff and governing officials of member libraries.

E) The system agency shall annually provide or cosponsor at least one continuing education event of each of the following types:

2) Continuing Education - Staff and Resources

A) The system agency shall designate a continuing education coordinator to guide the planning and implementation of continuing education program.

B) The system agency shall provide access to adequate facilities/meeting rooms and equipment for presenting continuing education programs.

3) Continuing Education - Membership Responsibilities

A) Member libraries should provide paid release time for their professional staff to attend at least 10 contact hours, and for appropriate support staff to attend at least five contact hours, of appropriate system-sponsored or system-endorsed continuing education events annually.

B) The staff of member libraries should be willing to serve as resource people for continuing education events.

C) Member libraries should send appropriate persons to the orientation programs cited in (h) 10) E)).

i) Delivery

1) Delivery - Administration and Service

A) The system agency shall have an operational delivery plan for all aspects of delivery service to member libraries.

The operation plan shall:

i) identify delivery methods available and when to use each;
ii) describe delivery schedules and subschedules;
iii) identify fixed points for picking up and receiving materials;
iv) describe the mechanism for determining who gets van delivery and how frequently (e.g., poundage, items);
v) provide for a mechanism for annual review;
vi) describe how the system delivery service interfaces with other systems through the Illinois Library Delivery Service (ILDS).

B) The system agency shall develop and adopt uniform procedures to govern problems that may arise in delivery service.

The uniform procedures should include:

i) packaging standards and indemnification of suppliers for loss or damage in delivery;
ii) uniform format for schedules so that they can be easily shared between systems;
iii) statewide uniform statistical data-gathering methods;
iv) clear guarantees on payment for materials lost in transit.

C) The system shall provide a vehicular delivery service to deliver materials to and from member libraries.

D) Each member library shall receive direct delivery a minimum of two times per week when it needs and requests such delivery.

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E) Delivery points shall be determined on criteria including but not limited to volume of use, collection strengths and convenience of member libraries.

F) The system agency shall ensure that each member library has an option for delivery up to five days per week to a drop-off point.

G) The system agency shall have clear procedures for members that identify the means of delivery to be used in particular circumstances.

2) Delivery - Staff and Resources

A) The system agency shall have adequate staff to carry out the day-to-day operations of the delivery service.

B) The system agency shall ensure that its delivery service shall complete the delivery schedule a minimum of 98 percent of the time.

3) Delivery - Membership Responsibilities

A) Member libraries should have designated staff to oversee delivery at their libraries.

B) Member libraries should provide for delivery in accordance with the system delivery schedule.

C) Member libraries should have access to facilities for receiving electronic transmission of library materials 24 hours per day.

D) Member libraries should package materials for delivery in accordance with the system delivery plan.

E) Member libraries should utilize the system and statewide delivery services unless a more cost-effective method is available to them.

i) Interlibrary Loan (ILL)

1) Interlibrary Loan - Administration and Service

A) The system agency shall have an operational plan for interlibrary loan, including interlibrary loan policy, a system ILL code, and ILL procedures, that encourage library to library interlibrary loan.

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The operational plan shall:

i) describe procedures for monitoring compliance with the ILLINET and system interlibrary codes;

ii) describe the complaint procedure;

iii) define responsibilities of the local library along with procedures for submitting ILL requests to the system headquarters;

iv) specify for intrastate, interstate and international ILL;

v) describe the system agency responsibilities for ILL;

vi) publish the list of authorized charges for those interlibrary loan transactions, when allowable according to the Illinois Interlibrary Loan Code.

vii) provide for a method for regular monitoring and evaluation of interlibrary loan service including the collection and publication of ILL statistics.

B) The system agency shall work with member libraries to improve local interlibrary loan service.

C) The system agency shall accept all requests for ILL as specified in the ILL codes and system procedures.

D) The system agency staff shall initiate processing of ILL requests within one working day of receipt.

E) The system agency staff shall verify, locate, request, refer or cancel all ILL requests received at system headquarters within three system working days.

F) The system agency shall ensure that sources are immediately available to verify at least 85 percent of the ILL requests received from member libraries.

G) The system agency shall distribute interlibrary loan public relations materials to member libraries.

2) Interlibrary Loan - Staff and Resources

A) The system agency shall provide identified staff assigned to the ILL service for a minimum of 40 hours per week.

B) The system agency shall offer ILL training programs for staff of member libraries at least semiannually.

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C) The system agency shall hold an annual interlibrary loan performance assessment for ILL staff from the system and member libraries to identify and discuss areas needing improvement.

D) The system agency shall have a telefacsimile machine (or a later state-of-the art equivalent) with an automatic answering device available for ILL purposes 24 hours per day.

E) The system agency staff shall have direct access to local, regional, national and international bibliographic databases.

3) Interlibrary Loan - Membership Responsibilities

A) Member libraries should offer and promote interlibrary loan service to their primary clientele.

B) Member libraries are responsible for training staff to handle ILL transactions and statistics-gathering and statistics gathered in accordance with system policies and procedures.

C) Member libraries should send staff to system ILL training sessions and participate in the annual assessment of ILL services.

D) Member libraries should attempt to verify from bibliographic resources all requests and should verify at least 75 percent of the requests.

E) The member libraries should submit interlibrary loan requests directly to other libraries whenever possible.

k) Reciprocal Access

1) Reciprocal Access - Administration and Service

A) The system agency shall adopt a reciprocal access plan.

The reciprocal access operational plan shall include:

i) how all member libraries in the system shall provide reciprocal access;

ii) who is eligible for reciprocal access;

iii) reasonable limitations individual member libraries may establish for reciprocal access.

iv) the scope of reciprocal borrowing within the system including how all public libraries shall participate in the program and other libraries can participate in the program.

v) definition of a library card valid for purposes of reciprocal borrowing. At a minimum the card should include name, address, expiration date and name and address of issuing library.

vi) specify minimum nonresident fee in order for nonresidents to be eligible for reciprocal borrowing.

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B) The system agency shall be responsible for coordinating all aspects of the reciprocal borrowing program.

C) The system agency shall adopt protocols to govern problems arising from reciprocal borrowing.

D) The system agency shall conduct an assessment of reciprocal access within the system every two years to determine the extent of reciprocal access and its impact on system-wide library service.

2) Reciprocal Access - Staff and Resources

A) The system agency shall designate a reciprocal access coordinator to monitor and guide the reciprocal access program.

3) Reciprocal Access - Member Library Responsibilities

A) Member public libraries should provide reciprocal borrowing to persons holding a valid library card from a public library in Illinois.

B) Libraries issuing a valid library card are responsible for materials lost by patrons when using reciprocal borrowing.

C) Member public libraries should circulate materials to eligible reciprocal borrowers under the same conditions that they circulate those materials to their own patrons.

D) All member libraries should provide for reciprocal access to other member libraries.

l) Reference Service

1) Reference - Administration and Service

A) The system agency shall have an operational plan for reference services.

The reference operational plan shall:

i) define responsibilities of the local library along with procedures for submitting reference requests to system headquarters;

ii) describe complaint procedure;

iii) describe system agency responsibilities and identify individuals responsible for providing reference service;

iv) provide for a method of regular monitoring and evaluation of reference service at all levels within the system;

vi) provide for the collection and publication of appropriate statistics.

B) The system agency shall have written policies and procedures for filling the reference queries of its member libraries.

C) The system agency shall assist member libraries in meeting their responsibilities under the reference plan through consultant services and a continuing education program.

D) The system agency shall either fill, respond to, return or refer 90 percent of information or subject requests within two working days, and all requests within five working days.

E) Library systems shall provide for reference service to its member libraries for the full range of hours that member library reference service is available.

2) Reference - Staff and Resources

A) The system agency shall designate a reference coordinator for the drafting and the implementation of the reference plan.

B) The system agency shall provide a sufficient number of persons performing system reference work to meet these standards.

C) The person coordinating reference work shall meet the following minimum qualifications:

i) a fifth-year degree from an ALA-accredited library education program.

ii) two years of full-time professional experience working in libraries

iii) at least one year of experience in reference work, with demonstrate competence in the provision of reference service. Other staff members providing high-level reference service should also meet these qualifications.

D) The system agency shall have access to or maintain appropriate reference resources that will enable the reference staff to answer at least 80 percent of the requests received.

E) The system agency shall provide members with appropriate lists of reference materials and sources of information, incorporating procedures for cooperative collection development when applicable.

3) Reference - Membership Responsibilities

A) Member libraries should meet minimum levels of reference service as defined in the system reference plan.

B) Member libraries should promote system-wide reference services by referring or offering to refer all unfilled requests to other libraries within the system.

C) Each member library should ensure that the staff members working on reference requests are skilled in basic reference sources and interviewing techniques. Such staff should have a clear understanding of the system reference plan.

m) Development Of Additional System Services

1) The system agency shall develop service programs that are necessary to meet the objectives of the Illinois Library Systems Act and member's needs.

2) Services provided by the system agency shall address the needs of member libraries.

3) The services shall include both qualitative and quantitative measures and written descriptions of standards for them shall include the same sections as the core services--Definition,

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Administration and Service, Staff and Resources, and Membership Responsibilities.

4) The system agency shall gather input from member libraries when developing service programs and the accompanying qualitative and quantitative measures.

5) The system agency shall develop service programs that further the system's Plan of Service.

6) The system agency shall have a process to evaluate the system's services.

7) The system agency shall identify service programs provided by other system agencies that are the same or similar throughout the state and jointly develop these programs so as to avoid duplication and ensure a standard level of service.

8) The system agency shall initiate a service when adequate financial resources are available to provide a quality service.

(Source: Amended at _____Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: Carriage by Public Highway

2) Code Citation: 92 Ill. Adm. Code 177

3) Section Numbers: Proposed Action:

177.2000 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 700-4(a) and 700-9(a)

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendment, the Department proposes to update the date of incorporation by reference of 49 CFR 177 as of October 1, 1990 and include the final rule adopted as of December 21, 1990.

A review of the federal regulations adopted since October 1, 1990, to the proposed dates of incorporation by reference, indicates there are certain changes made by US DOT not reflected in the Department's regulations. This rulemaking does have the effect of making substantive changes in the Department's regulations to bring Part 177 in line with the federal regulations. The following is a summary of the changes in US DOT regulations which are included in this proposed rulemaking.

By proposing this rulemaking, the Department's regulations will incorporate changes made to Part 177 by US DOT in rulemaking Docket:

HM-181 [55 FR 52402 (December 21, 1990)]

Docket HM-181 Amended the regulations by making significant changes to the Hazardous Materials Regulations with regard to the format of the regulations, the classification of materials, the hazard communication provisions and the packaging requirements. Part 177 contains the requirements that are applicable to transportation by motor vehicle. The terminology in each section of Part 177 was revised to reflect U.N. hazard classes and to include metric measurements. The segregation table for hazardous materials in Section 177.848 was revised.

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6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference?

Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Rules do not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Mr. Tom Crawford, Manager
Regulations and Training Unit
Department of Transportation
Division of Traffic Safety
2300 South Dirksen Parkway
Springfield, Illinois 62764
(217) 785-3064

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to D.C.C.A.: October 23, 1991

B) Types of small businesses affected: Those businesses that offer for shipments or carry hazardous materials by highway.

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C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this Part.

D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of this Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER c: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 177
CARRIAGE BY PUBLIC HIGHWAY

Section
177.1000 General
177.2000 Incorporation By Reference of 49 CFR 177

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act (Ill. Rev. Stat. 1989, ch. 95 1-2, pars. 700-4(a) and 700-9(a)).

SOURCE: Adopted at 3 Ill. Reg. 5, P. A1, effective February 1, 1979; amended at 4 Ill. Reg. 30, p. 1244, effective July 10, 1980; amended at 6 Ill. Reg. 4287, effective April 16, 1982; amended at 7 Ill. Reg. 3486, effective April 2, 1983; codified at 8 Ill. Reg. 18930; Part repealed, new Part adopted at 10 Ill. Reg. 5853, effective April 1, 1986; amended at 10 Ill. Reg. 20749, effective December 1, 1986; amended at 11 Ill. Reg. 4768, effective March 10, 1987; amended at 11 Ill. Reg. 17881, effective October 20, 1987; amended at 12 Ill. Reg. 8074, effective April 26, 1988; amended at 13 Ill. Reg. 3957, effective March 14, 1989; amended at 14 Ill. Reg. 2613, effective February 1, 1990; amended at 15 Ill. Reg. 7743, effective May 7, 1991; amended at _____ Ill. Reg. _____, effective _____.

Section 177.2000 Incorporation By Reference of 49 CFR 177

a) As Part 177 of the Illinois Hazardous Materials Transportation Regulations the Department incorporates 49 CFR 177 by reference, as that Part of the federal hazardous materials transportation regulations was in effect on October 1, 1990; as amended at 55 FR 52402, December 21, 1990, subject only to the exceptions in subsection (b) of this Section. No later amendments to or editions of 49 CFR 177 are incorporated.

b) The following interpretations of, additions to and deletions from 49 CFR 177 shall apply for purposes of this Part 177 of the Illinois Hazardous Materials Transportation Regulations.

1) All references to "this part" in the incorporated federal regulations shall mean Part 177 of the Illinois Hazardous Materials Transportation Regulations.

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2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.

3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.

4) All references to Parts 174, 175 or 176, or to sections therein shall be read to refer to those Parts or sections in the federal hazardous materials transportation regulations.

5) All references to shipment of hazardous materials by air, water and rail are incorporated for reference purposes only for those persons contemplating intermodal movements of hazardous materials.

6) All references to motor vehicles engaged in interstate commerce shall be deemed to include any motor vehicle engaged in commerce within the State of Illinois.

7) Section 177.804 in 49 CFR is deleted and not incorporated.

(Source: Amended at _____ Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: General Information, Regulations, and Definitions

2) Code Citation: 92 Ill. Adm. Code 171

3) Section Numbers: Proposed Action:

171.5	New
171.6	Renumbered
171.1000	Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 700-4(a) and 700-9(a)

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department proposes to update and extend the dates of incorporation by reference of 49 CFR 171 as of October 1, 1990 and include those final rules amended as of November 7, 1990; December 21, 1990; February 28, 1991 and September 18, 1991. The Department is proposing to renumber Section 171.6 of the Illinois Hazardous Materials Transportation Regulations to Section 171.5. In Section 171.1000(b)(6), the Department is proposing to delete the dash and insert the word "through." Section 171.1000(b)(9) is deleted.

A review of the federal regulations adopted since October 1, 1990, to the proposed dates of incorporation by reference, indicates there are certain changes made by US DOT not reflected in the Department's regulations. This rulemaking does have the effect of making substantive changes in the Department's regulations to bring Part 171 in line with the federal regulations. The following is a summary of the changes in US DOT regulations which are included in this proposed rulemaking.

By proposing this rulemaking, the Department's regulations will incorporate changes made to Part 171 by US DOT in rulemaking Dockets:

HM-145I [55 FR 46794 (November 7, 1990)]
HM-181 [55 FR 52402 (December 21, 1990)]
HM-207 [56 FR 8616 (February 28, 1991)]
HM-181 [56 FR 47158 (September 18, 1991)]

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Docket HM-145I Amended the regulations by revising the "List of Hazardous Substances and Reportable Quantities" which appears in the appendix of 49 CFR 172.101. The words "E P toxicity" were removed and the word "toxicity" was added in Section 171.11.

Docket HM-181 Amended the regulations by making significant changes to the Hazardous Materials Regulations with regard to the format of the regulations, the classification of materials, the hazard communication provisions, and the packaging requirements. Part 171 contains definitions, reporting requirements, a listing of matter incorporated by reference and procedural requirements. The International System of Units ("SI" or metric units) was added and incorporated as the regulatory standard in Section 171.6. A title revision was made in Section 171.7, it now reads "Reference Materials." This section also updated and revised the present material incorporated by reference in an easy to use format. U.N. terminology was incorporated, some new definitions were added, other definitions were revised or deleted in Section 171.8. Transitional packaging requirements were revised in Section 171.14.

Docket HM-207 Amended the regulations to provide a nonsubstantive change by removing a date which has already passed.

Docket HM-181 (September 18, 1991) Modified the transition dates previously established in Section 171.14 by docket HM 181 (December 21, 1990).

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Rules do not affect units of local government.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Mr. Tom Crawford, Manager
Regulations and Training Unit
Department of Transportation
Division of Traffic Safety
2300 South Dirksen Parkway
Springfield, Illinois 62764
(217) 785-3064

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to D.C.C.A.: October 23, 1991

B) Types of small businesses affected: Those businesses that offer for shipments or carry hazardous materials by highway.

C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this Part.

D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of these Proposed Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER c: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 171
GENERAL INFORMATION, REGULATIONS AND DEFINITIONS

Section
171.1 Purpose and Scope
171.2 General Transportation Requirements
171.3 Hazardous Waste
171.4 Exemptions
171.5 Agricultural Exception
~~171.6 Agricultural Exception~~
171.7 Matter Incorporated by Reference (Repealed)
171.8 Definitions and Abbreviations (Repealed)
171.9 Rules of Construction (Repealed)
171.12 Import and Export Shipments (Repealed)
171.14 Specification Markings (Repealed)
171.15 Notification and Reporting of Hazardous Materials Incidents
171.17 Hazardous Substance Discharge Notification
171.18 Continuation of Effectiveness of Existing Bureau of Explosives Registrations (Repealed)
171.19 Approvals or Authorizations Issued by the Bureau of Explosives (Repealed)
171.21 Retailer Exception
171.1000 Incorporation by Reference of 49 CFR 171

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 700-4(a) and 700-9(a)).

SOURCE: Adopted at 3 Ill. Reg. 5, p. 41, effective February 1, 1979; amended at 6 Ill. Reg. 4287, effective April 16, 1982; amended at 7 Ill. Reg. 3486, effective April 2, 1983; codified at 8 Ill. Reg. 17984; amended at 10 Ill. Reg. 9636, effective May 15, 1986; amended at 10 Ill. Reg. 20753, effective December 1, 1986; emergency amendment at 11 Ill. Reg. 1684, effective January 16, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 4772, effective March 10, 1987; amended at 11 Ill. Reg. 7767, effective April 14, 1987; amended at 11 Ill. Reg. 17886, effective October 20, 1987; amended at 12 Ill. Reg. 8078, effective April 26, 1988; amended at 13 Ill. Reg. 3984, effective March 14, 1989; amended at 14 Ill. Reg. 2621, effective February 1, 1990; amended at 15 Ill. Reg. 7752, effective May 7, 1991; amended at _____ Ill. Reg. _____, effective _____.

Section 171.65 Agricultural Exception

These regulations and Driving and Parking; 92 Ill. Adm. Code 397 do not apply to the transportation of those hazardous materials cited below when such commodities are transported from retailer to final agricultural end user, or between final end users from farm to farm in approved containers and in the amounts and manner specified:

a) Agricultural pesticides classified as Class B Poison or Flammable by these regulations, when moved in quantities of 5,000 pounds or less (aggregate gross weight) or 500 gallons or less volume in solution;

b) Gasoline, diesel fuels, oils, lubricants, and liquefied petroleum gas, when moved in quantities of 3,000 gallons or less and properly placarded in accordance with 92 Ill. Adm. Code 172.504(a).

c) Ammonium nitrate fertilizer, when moved in quantities of 16,000 pounds (aggregate gross weight) or less.

d) Anhydrous ammonia when transported in a cargo tank (commonly known as a nurse tank and considered an implement of husbandry) operated by private carriers exclusively for agricultural purposes, provided the cargo tank:

1) Has a minimum design pressure of 250 per square inch (p.s.i.) and meets the requirements of the ASME code in effect at time of manufacture and is marked accordingly;

2) Is equipped with safety relief valves meeting the requirements of CGA Pamphlet S1.2;

3) Is painted white or aluminum;

4) Has a capacity of 2,000 gallons or less;

5) Is loaded to a filling density of 56 percent of water density (85 percent of volume capacity);

6) Is securely mounted on a farm wagon; and

7) Is in conformance with the requirements of 92 Ill. Adm. Code Part 172; except that shipping papers are not required; and it need not be marked or placarded on one end if that end contains valves, fittings, regulators, gauges,

or other appurtenances that prevent the marking and placard from being properly placed and visible.

e) Formulated agricultural chemicals not listed in subsection a or c above which are offered for transportation in less-than-case lot quantities, or when repackaged, are not subject to 92 Ill. Adm. Code 172, Subpart D and the outside specification packaging requirements of Part 173 if all of the following conditions are met:

1) Inside packagings are enclosed in strong outside packagings. Inside liquid packagings are cushioned, if necessary, to prevent breakage and leakage;

2) Each inside packaging does not exceed 2 1/2-gallons capacity for liquids or 25 pounds for dry materials;

3) Gross weight of less-than-case or repackaged lots is not over 100 pounds in each vehicle;

4) Transportation is authorized only be private motor vehicle between a final distribution point and the ultimate point of application, if that distance does not exceed one hundred miles.

f) Formulated liquid agricultural chemicals in specification packagings of 55 gallons capacity, or less, with closures manifolded to a closed mixing system and equipped with positive dry disconnect devices may be transported by a private motor carrier between a final distribution point and an ultimate point of application or loading aboard on aircraft for aerial application.

(Source: Renumbered from Section 171.6 at ____ Ill. Reg. _____)

Section 171.1000 Incorporation by Reference of 49 CFR 171

a) As Part 171 of the Illinois Hazardous Materials Transportation Regulations, the Department incorporates the following sections of 49 CFR 171 by reference, as those sections of the federal hazardous materials transportation regulations were in effect on October 1, 1990, as amended at 55 FR 46794, November 7, 1990; as amended at 55 FR 52402, December 21, 1990; as amended at 56 FR 8616; as amended at 56 FR 47158, September 18, 1991 subject only to the exceptions in subsection (b) of this Section. No later amendments to or editions of those sections of 49 CFR 171 of the federal regulations are incorporated.

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171.6	Units of Measure
171.7	~~Matter Incorporated by Reference~~Referenced Material
171.8	Definitions and Abbreviations
171.9	Rules of Construction
171.11	Use of ICAO Technical Instructions
171.12	Import and Export Shipments
171.12a	Canadian Shipments and Packagings
171.14	~~Specification Markings~~Transitional Provisions for Implementing Requirements Based on the UN Recommendations
171.18	Continuation of Effectiveness of Existing Bureau of Explosives
171.19	Approvals or Authorizations Issued by the Bureau of Explosives
171.20	Submission of Examination Reports

b) The following interpretations of, additions to and deletions from the above incorporated sections of 49 CFR 171 shall apply for purposes of this Part 171 of the Illinois Hazardous Materials Transportation Regulations.

1) All references to "this part" in the incorporated federal regulations shall mean Part 171 of the Illinois Hazardous Materials Transportation Regulations.

2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.

3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.

4) All references to Part 176 or to sections therein shall be read to refer to that part or sections in the federal regulations.

5) All references to shipments of hazardous materials by air, water and rail are incorporated for reference purposes only for those persons contemplating intermodal movements of hazardous materials.

6) All references to "these regulations" refers to the Illinois Hazardous Materials Transportation Regulations, 92 Ill. Adm. Code 102~~:~~through 180 and 397.

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7) All references to a "settlement agreement", in these regulations, means a written understanding between the Department and the person being charged.

8) The following paragraphs to Section 171.7 "Matter incorporated by reference" in 49 CFR are deleted and not incorporated: 171.7(d)(2); 171.7(d)(21).

~~9) Provisions of Section 171.12a, as it appears to affect Emergency Response Information in Docket HM-126 [54 FR 27138, (June 27, 1989)], can be done now; but the enforcement date does not become effective until April 2, 1990.~~

(Source: Amended at _____ Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: Hazardous Materials Table and Hazardous Materials Communications

2) Code Citation: 92 Ill. Adm. Code 172

3) Section Numbers: Proposed Action:

172.2000	Amendment
172.2215	Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 700-4(a) and 700-9(a)

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department proposes to extend the date of incorporation by reference of 49 CFR 172 from October 1, 1990 and include those final rules adopted as of November 7, 1990; December 21, 1990, January 3, 1991, and February 22, 1991. In Section 172.2215, the Department is proposing to delete the words "and hazardous substances" because it is inappropriate and the limitation on use of "permanent shipping papers" is necessary only for hazardous waste.

A review of the federal regulations adopted between October 1, 1990 and the proposed dates of incorporation by reference indicates there are changes made by US DOT that are not reflected in the Department's regulations. This rulemaking does have the effect of making substantive changes in the Department's regulations to bring Part 172 in line with the federal regulations. The following is a summary of the changes in US DOT regulations which are included in this proposed rulemaking.

By proposing this rulemaking, the Department's regulations will incorporate changes made to Part 172 by US DOT in rulemaking dockets:

HM-145I [55 FR 46794 (November 7, 1990)]
HM-181 [55 FR 52402 (December 21, 1990)]
HM-142A [56 FR 197 (January 3, 1991)]
[56 FR 7312 (February 22, 1991)]

Docket HM-145I Amended the regulations by revising the "List of Hazardous Substances and Reportable Quantities" which appears in the Appendix of 49 CFR 172.101.

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Docket HM-181 Amended the regulations by making significant changes to the Hazardous Materials Regulations with regard to the format of the regulations, the classification of materials, the hazard communication provisions and the packaging requirements. Part 172 has the listing of hazardous materials in the Hazardous Materials Table and various communications requirements for shipping paper descriptions, marking and labeling of packages, placarding of vehicles and bulk packagings, and emergency response communication. Some of the amendments to the regulations include revision of the heading for Part 172 to read, "Hazardous Materials Table, Special Provisions, Hazardous Materials Communications Requirements and Emergency Response Information Requirements", and a change to the hazardous materials descriptions in the Hazardous Materials Table which were revised to reflect the U.N. Recommendations, except for those shipping descriptions unique to the U.S. Transportation System. A column for Packing Group was added to the Table. Descriptions for hazardous materials on shipping papers were revised in Sections 172.202 and 172.203. Marking, labeling and placarding requirements in Part 172 were substantially revised. These changes are to be phased in over time.

Docket HM-142A Amended the regulations by revising the definition of "etiologic agent." The maximum quantity permitted in one package was revised in Section 172.101. In order to be consistent with the international modal regulations, the proper shipping name "infectious substances, affecting humans" was included in Section 172.203.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference?

Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Rules do not affect units of local government.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:
Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Mr. Tom Crawford
Regulations and Training Unit
Department of Transportation
Division of Traffic Safety
2300 South Dirksen Parkway
Springfield, Illinois 62764
(217) 785-3064

Comments received witnin thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to D.C.C.A.: October 23, 1991

B) Types of small businesses affected: Those businesses that offer for shipments or carry hazardous materials by highway.

C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this Part.

D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of these Proposed Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER c: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 172
HAZARDOUS MATERIALS TABLE AND HAZARDOUS MATERIALS COMMUNICATIONS

Section
172.1000 General
172.2000 Incorporation by Reference of 49 CFR 172
172.2215 Permanent Shipping Papers

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act (Ill. Rev. Stat. 1989, ch. 95 1-2, pars. 700-4(a) and 700-9(a)).

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 6 Ill. Reg. 4287, 4487 and 4573, effective April 16, 1982; amended at 7 Ill. Reg. 3486, effective April 2, 1983; amended at 8 Ill. Reg. 19640, effective October 1, 1984; codified at 8 Ill. Reg. 19601; amended at 8 Ill. Reg. 19622, effective October 1, 1984; emergency amendment at 8 Ill. Reg. 22889, efffective November 9, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3810, effective March 11, 1985; Part repealed, new Part adopted at 10 Ill. Reg. 5864, effective April 1, 1986; amended at 10 Ill. Reg. 20759, effective December 1, 1986; emergency amendment at 11 Ill. Reg. 1690, effective January 16, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 4777, effective March 10, 1987; amended at 11 Ill. Reg. 7773, effective April 14, 1987; amended at 11 Ill. Reg. 17893, effective October 20, 1987; amended at 12 Ill. Reg. 8084, effective April 26, 1988; amended at 13 Ill. Reg. 3993, effective March 14, 1989; amended at 14 Ill. Reg. 2628, effective February 1, 1990; amended at 15 Ill. Reg. 7760, effective May 7, 1991; amended at _____ Ill. Reg. _____, effective _____.

Section 172.2000 Incorporation by Reference of 49 CFR 172

a) As Part 172 of the Illinois Hazardous Materials Transportation Regulations the Department incorporates 49 CFR 172 by reference, as that Part of the federal hazardous material transportation regulations was in effect on October 1, 1990; as amended at 55 FR 46794, November 7, 1990; as amended at 55 FR 52402, December 21, 1990; as amended at 56 FR 197, January 3, 1991; as amended at 56 FR 7312, February 22, 1991, subject only to the exceptions in subsection (b) of this Section and Section 172.2215. No later amendments to or editions of 49 CFR 172 are incorporated.

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b) The following interpretations of, additions to and deletions from 49 CFR 172 shall apply for purposes of this Part 172 of the Illinois Hazardous Materials Transportation Regulations.

1) All references to "this part" in the incorporated federal regulations shall mean Part 172 of the Illinois Hazardous Materials Transportation Regulations.

2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.

3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that section in the Illinois Hazardous Materials Transportation Regulations.

4) All references to Parts 174, 175 or 176, or to sections therein shall be read to refer to those parts or sections in the federal hazardous materials transportation regulations.

5) All references to shipment of hazardous materials by air, water and rail are incorporated for reference purposes only for those persons contemplating intermodal movements of hazardous materials.

6) Any changes to 49 CFR 172 made effective by U.S. DOT Rulemaking Docket HM-187 [49 FR 21933 (May 24, 1984)] covering small arms ammunition are not incorporated.

(Source: Amended at _____ Ill. Reg. _____, effective _____)

Section 172.2215 Permanent Shipping Papers

Except for hazardous waste ~~and hazardous substances,~~ permanent shipping papers may be used for cargo tanks, showing the quantity of material in the tank as the maximum quantity of that hazardous material that could be carried in that tank. All other requirements of this Subpart and 92 Ill. Adm. Code 177.817 must be met.

(Source: Amended at _____ Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: Shippers General Requirements for Shipments and Packagings

2) Code Citation: 92 Ill. Adm. Code 173

3) Section Numbers: Proposed Action:

173.3000 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 700-4(a) and 700-9(a)

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendment, the Department proposes to update the date of incorporation by reference of 49 CFR 173 as of October 1, 1990 and include those final rules adopted as of December 21, 1990, January 3, 1991, February 22, 1991, and February 28, 1991.

A review of the federal regulations adopted since October 1, 1990 to the proposed dates of incorporation by reference, indicates there are certain changes made by US DOT not reflected in the Department's regulations. This rulemaking does have the effect of making limited substantive changes in the Department's regulations to bring Part 173 in line with the federal regulations.

The following is a summary of the changes made to US DOT regulations which are included in this proposed rulemaking.

By proposing this rulemaking, the Department's regulations will incorporate changes made to Part 173 by US DOT in rulemaking Dockets:

HM-181 [55 FR 53402 (December 21, 1990)]
HM-142A [56 FR 197 (January 3, 1991)]
[56 FR 7312 (February 22, 1991)]
HM-207 [56 FR 8616 (February 28, 1991)]

Docket HM-181 Amended the regulations by making significant changes to the Hazardous Materials Regulations with regard to the format of the regulations, the classification of materials, the hazard communication provisions and the packaging requirements. Some of the hazard class definitions for classifying hazardous materials were revised in Part 173. Part 173 lists the DOT packagings authorized

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for specific materials and references the appropriate sections of Part 178 when DOT specification packagings are required. Several hundred revisions were made in this Part. Some of the sections amended include the following: A paragraph was added in Section 173.1 to indicate that the Hazardous Materials Regulations are not consistent in all respects with the United Nations Recommendations on the Transport of Dangerous Goods. Section 173.2 is revised to list the various hazard classes, by class or division number and name, and to provide an index to the hazard class definitions appearing throughout this Part. This section also removed all references to "ORM-E" materials. Sections 173.4 and 173.5 were revised to conform to U.N. terminology and to include both U.S. standard and metric system measurements. Section 171.8 was modified to amend some of the definitions of terms used in the regulations and add others necessitated by the new requirements. The requirements for packaging of hazardous wastes were revised in Section 173.12. The standard requirements for all packages were revised and expanded into three sections as follows: 1) Section 173.24 general requirements applicable to all packages; 2) Section 173.24a requirements unique to non-bulk packages and 3) Section 173.24b requirements unique to bulk packages. Some general marking requirements for specification packages and requirements applying to the construction and composition of packagings were removed from this Section.

Due to the restrictions of 49 CFR 173, the Department proposes to modify Section 173.3000(b)(7) and 173.3000(b)(8) to reflect the new federal references.

Requirements for the reuse, reconditioning, and remanufacture of packagings were reorganized in Section 173.28. Requirements to allow a hazardous material shipping name, identification number, hazard warning label or placard to remain on an empty package that is securely covered while in transportation were revised in Section 173.29. Some requirements for qualifications, maintenance and use of portable tanks were revised and others were added in Section 173.32. Requirements for hazardous materials in cargo tank motor vehicles were revised in Section 173.33. General packaging requirements for poisonous materials required to be packaged in cylinders were added in Section

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173.40. Packing groups are assigned for each hazard class and division in subsequent sections.

Docket 142A Amended the regulations by revising the definition of "etiologic agent" and removing the exception found in Section 173.386. Section 173.387 was revised to specify the maximum quantity that may be packed in one package.

Docket 207 Amended the regulations to provide a nonsubstantive change by removing a date which has already passed.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Rules do not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Mr. Tom Crawford, Manager
Regulations and Training Unit
Department of Transportation
Division of Traffic Safety
2300 South Dirksen Parkway
Springfield, Illinois 62764
(217) 785-3064

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to D.C.C.A.: October 23, 1991

B) Types of small businesses affected: Those businesses that offer for shipments or carry hazardous materials by highway.

C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this part.

D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of these Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER c: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 173
SHIPPERS GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

Section
173.2000 General
173.3000 Incorporation by Reference of 49 CFR 173

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act (Ill. Rev. Stat. 1989, ch. 95 1-2, pars. 700-4(a) and 700-9(a)).

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 4 Ill. Reg. 30, p. 1244, effective July 10, 1980; amended at 5 Ill. Reg. 1715; effective February 9, 1981; amended at 6 Ill. Reg. 4287, effective April 16, 1982; amended at 6 Ill. Reg. 10036, effective August 2, 1982; amended at 7 Ill. Reg. 3486, effective April 12, 1983; codified at 8 Ill. Reg. 20015; Part repealed, new Part adopted at 10 Ill. Reg. 5885, effective April 1, 1986; amended at 10 Ill. Reg. 20764, effective December 1, 1986; amended at 11 Ill. Reg. 4781, effective March 10, 1987; amended at 11 Ill. Reg. 17898, effective October 20, 1987; amended at 12 Ill. Reg. 8089, effective April 26, 1988; amended at 13 Ill. Reg. 3998, effective March 14, 1989; amended at 14 Ill. Reg. 2640, effective February 1, 1990; amended at 15 Ill. Reg. 7765, effective May 7, 1991; amended at _____ Ill. Reg. _____, effective _____.

Section 173.3000 Incorporation by Reference of 49 CFR 173

a) As Part 173 of the Illinois Hazardous Materials Transportation Regulations the Department incorporates 49 CFR 173 by reference, as that Part of the federal hazardous materials transportation regulations was in effect on October 1, 1990; as amended at 55 FR 53402, December 21, 1990; as amended at 56 FR 197, January 3, 1991; as amended at 56 FR 7312, February 22, 1991; as amended at 56 FR 8616, February 28, 1991, subject only to the exceptions in subsection (b) of this Section. No later amendments to or editions of 49 CFR 173 are incorporated.

b) The following interpretations of, additions to and deletions from 49 CFR 173 shall apply for purposes of this Part 173 of the Illinois Hazardous Materials Transportation Regulations.

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1) All references to "this part" in the incorporated federal regulations shall mean Part 173 of the Illinois Hazardous Materials Transportation Regulations.

2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.

3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.

4) All references to Parts 174, 175 or 176 or to sections therein shall be read to refer to those Parts or sections in the federal hazardous materials transportation regulations.

5) All references to shipment of hazardous materials by air, water and rail are incorporated for reference purposes only for those persons contemplating intermodal movements of hazardous materials.

6) Section 173.24(c)(1)(vi) is added to the Illinois Hazardous Materials Transportation Regulations and reads as follows:

The markings in this section are not required for a surface moisture-density gauge transported as Radioactive Materials, Special Form, N.O.S.,when accompanied by a shipping paper which contains (or is accompanied by) a signed statement or certification from the manufacturer of the gauge attesting that the gauge construction complies with all package specifications set forth in Section 173.415 and 173.416, except those that pertain to marking.

7) Section 173.150(g)~~173.119(n)~~ is added to the Illinois Hazardous Materials Transportation Regulations and reads as follows:

~~The specifications in this Section do not apply to~~ Gasoline being transported in a packaging having a rated capacity of 110 gallons or less, which is ~~in~~ ~~if the shipment is in~~ compliance with the rules of the Office of the State Fire Marshal, 41 Ill. Adm. Code 170.15(c)~~.~~, ~~In addition, these shipments are~~ is not subject to Subchapter c of these regulations except for those Sections referenced in 41 Ill. Adm. Code 170.15(c).

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8) Section 173.315(a)(1) Note 17 is deleted from the federal regulations and a new Section 173.315(a)(1) Note 17 is added to the Illinois regulations to read as follows: Specifications MC 330 and MC 331 cargo tanks, with a design service pressure of 250 p.s.i.g., built in compliance with the Federal ICC or Federal DOT regulations at the time of manufacture, which meet all other design and testing requirements specified by Part 180~~Section 177.824~~ for cargo tanks in anhydrous ammonia service, and which have been in anhydrous ammonia service in Illinois before February 1, 1979, may continue to be used in such service. No cargo tank that has not been in anhydrous ammonia service in Illinois before February 1, 1979, may be placed in such service in Illinois after that date unless it meets all requirements of the specification, including a minimum design service pressure of 265 p.s.i.g.

9) Section 173.315(k) in 49 CFR is deleted and not incorporated.

10) Any changes to 49 CFR 173 made effective by U.S. DOT Rulemaking Docket HM-187 [49 FR 21933 (May 24, 1984)] covering small arms ammunition are not incorporated.

(Source: Amended at _____ Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: Shipping Container Specifications

2) Code Citation: 92 Ill. Adm. Code 178

3) Section Numbers: Proposed Action:

178.336.l.l	Amendment
173.336.l.5	Amendment
178.2000	Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 700-4(a) and 700-9(a)

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department proposes to update the date of incorporation by reference of 49 CFR 178 and include the final rule issued by the United States Department of Transportation on December 21, 1990 at 55 FR 52402. In its December 21, 1990 rulemaking, US DOT modified 49 CFR 178 by changing the title from "Shipping Container Specifications" to "Specification for Packagings." The Department proposes to change the title of 92 Ill. Adm. Code 178 for consistency. Other changes made in the Notice at 55 FR 52402 were the removal of Subparts F and G of 49 CFR 178 and the addition of Subparts L and M.

The Department also proposes to incorporate by reference, as separate items, 49 CFR 178.340, 178.341, 178.342 and 178.343 as those sections existed on October 1, 1989. This rulemaking also proposes changes to Sections 178.336.l.l and 178.336.l.5. As currently constructed, these sections make reference to portions of 49 CFR 178 that are deleted by the December 21, 1990 rulemaking. While there is no proposed change to the requirements, the Department proposes to include the regulatory language previously identified only by cross-reference.

A review of the federal regulations adopted since October 1, 1990, to the proposed date of incorporation by reference, indicates there are certain changes made by US DOT not reflected in the Department's regulations. This rulemaking does have the effect of making substantive changes in the Department's regulations to bring Part 178 in line with the federal regulations.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

By proposing this rulemaking, the Department's regulations will incorporate changes made to 49 CFR 178 by US DOT in rulemaking Docket:

HM-181 [55 FR 52402 (December 21, 1990)]

Docket HM-181 Amended the regulations by removing specifications for non-bulk packages and replacing these provisions with requirements for testing packages. These tests, based on United Nations Performance Oriented Packaging Standards, will become the criteria for a package used to transport hazardous materials.

This docket amended the regulations by adding 49 CFR 178, Subpart L that establishes requirements for marking non-bulk packages and 49 CFR 178, Subpart M that establishes testing requirements.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Rules do not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Mr. Tom Crawford, Manager
Regulations and Training Unit
Department of Transportation
Division of Traffic Safety
2300 South Dirksen Parkway
Springfield, Illinois 62764
(217) 785-3064

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to D.C.C.A.: October 23,1991

B) Types of small businesses affected: Those businesses that offer for shipments or carry hazardous materials by highway.

C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this Part.

D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of these Proposed Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER c: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 178
~~SHIPPING CONTAINER SPECIFICATIONS~~
SPECIFICATIONS FOR PACKAGINGS

Section

178.321	Specification MC 300; Cargo Tanks Constructed of Mild (Open Hearth or Blue Annealed) Steel, or Combination of Mild Steel with High Tensile Steel, or Stainless Steel, Primarily for the Transportation of Flammable Liquids or Poisonous Liquids, Class B
178.321.0.1	[178.321-1] General Requirements
178.321.0.2	[178.321-2] Material
178.321.0.3	[178.321-3] Thickness
178.321.0.4	[178.321-4] Joints
178.321.0.5	[178.321-5] Bulkheads, Baffles, and Ring Stiffeners
178.321.0.6	[178.321-6] Closures for Manholes
178.321.0.7	[178.321-7] Overturn Protection
178.321.0.8	[178.321-8] Outlets
178.321.0.9	[178.321-9] Vents, Valves, and Connections
178.321.1.0	[178.321-10] Protection of Fittings
178.321.1.1	[178.321-11] Emergency Discharge Control
178.321.1.2	[178.321-12] Shear Section
178.321.1.3	[178.321-13] Anchoring of Tank
178.321.1.4	[178.321-14] Gauging Devices
178.321.1.5	[178.321-15] Pumps
178.321.1.6	[178.321-16] Testing Requirements
178.321.1.7	[178.321-17] Marking of Cargo Tanks
178.321.1.8	[178.321-18] Certification
178.322	Specification MC 301; Cargo Tanks Constructed of Welded Aluminum Alloy (Grade 3S), To Be Mounted On and To Form Part Of Tank Motor Vehicles for Transportation of Flammable Liquids, and Poisonous Liquids, Class B
178.322.0.1	[178.322-1] General Requirements
178.322.0.3	[178.322-3] Certification
178.322.0.5	[178.322-5] Marking of Cargo Tanks
178.322.0.9	[178.322-9] Testing Requirements
178.322.1.1	[178.322-11] Material
178.322.1.2	[178.322-12] Thickness of Sheets and Ring Stiffeners
178.322.1.3	[178.322-13] Tolerance
178.322.1.4	[178.322-14] Joints
178.322.1.7	[178.322-17] Tank Outlets

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178.322.1.8	[178.322-18] Bulkheads, Baffles, and Ring Stiffeners
178.322.1.9	[178.322-19] Tank Vents
178.322.2.0	[178.322-20] Valve and Faucet Connections
178.322.2.1	[178.322-21] Emergency Discharge Control
178.322.2.2	[178.322-22] Shear Section
178.322.2.3	[178.322-23] Protection of Valves and Faucets
178.322.2.4	[178.322-24] Overturn Protection
178.323	Specification MC 302; Cargo Tanks Constructed of Welded Aluminum Alloy (ASTM B209-57T), Primarily For the Transportation of Flammable Liquids, or Poisonous Liquids, Class B
178.323.0.1	[178.323-1] General Requirements
178.323.0.2	[178.323-2] Material
178.323.0.3	[178.323-3] Thickness of Metal
178.323.0.4	[178.323-4] Joints
178.323.0.5	[178.323-5] Bulkheads, Baffles, and Ring Stiffeners
178.323.0.6	[178.323-6] Closures for Manholes
178.323.0.7	[178.323-7] Overturn Protection
178.323.0.8	[178.323-8] Tank Outlets
178.323.0.9	[178.323-9] Vents, Valves, and Connections
178.323.1.0	[178.323-10] Protection of Fittings
178.323.1.1	[178.323-11] Emergency Discharge Control
178.323.1.2	[178.323-12] Shear Section
178.323.1.3	[178.323-13] Anchoring of Tank
178.323.1.4	[178.323-14] Gauging Devices
178.323.1.5	[178.323-15] Pumps
178.323.1.6	[178.323-16] Testing Requirements
178.323.1.7	[178.323-17] Marking of Cargo Tanks
178.323.1.8	[178.323-18] Certification
178.324	Specification MC 303; Cargo Tanks Constructed of Welded Ferrous Alloy (High-Tensile Steel), or Stainless Steel, Primarily For the Transportation of Flammable Liquids, or Poisonous Liquids, Class B
178.324.0.1	[178.324-1] General Requirements
178.324.0.2	[178.324-2] Material
178.324.0.3	[178.324-3] Thickness of Metal
178.324.0.4	[178.324-4] Joints
178.324.0.5	[178.324-5] Bulkheads, Baffles, and Ring Stiffeners
178.324.0.6	[178.324-6] Closures for Manholes
178.324.0.7	[178.324-7] Overturn Protection
178.324.0.8	[178.324-8] Outlets
178.324.0.9	[178.324-9] Vents, Valves, and Connections
178.324.1.0	[178.324-10] Protection of Fittings
178.324.1.1	[178.324-11] Emergency Discharge Control
178.324.1.2	[178.324-12] Shear Section
178.324.1.3	[178.324-13] Anchoring of Tank

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178.324.1.4	[178.324-14] Gauging Devices
178.324.1.5	[178.324-15] Pumps
178.324.1.6	[178.324-16] Testing Requirements
178.324.1.7	[178.324-17] Marking of Cargo Tanks
178.324.1.8	[178.324-18] Certification
178.325	Specification MC 304; Cargo Tanks Constructed of Mild (Open Hearth or Blue Annealed) Steel, Welded Ferrous Alloy (High-Tensile) Steel, or Aluminum, Primarily For the Transportation of Flammable Liquids, or Poisonous Liquids, Class B, Having Reid (ASTM D-323) Vapor Pressures of 18 PSIA or More at 100 degrees F., Bug Less Than Those Stated in 92 Ill. Adm. Code 173.300, In Defining Compressed Gases
178.325.0.1	[178.325-1] General Requirements
178.325.0.2	[178.325-2] Material
178.325.0.3	[178.325-3] Thickness of Metal
178.325.0.4	[178.325-4] Joints
178.325.0.5	[178.325-5] Bulkheads, Baffles, and Ring Stiffeners
178.325.0.6	[178.325-6] Closures for Manholes
178.325.0.7	[178.325-7] Overturn Protection
178.325.0.8	[178.325-8] Tank Outlets
178.325.0.9	[178.325-9] Safety Relief Devices, Valves, and Connections
178.325.1.0	[178.325-10] Protection of Fittings
178.325.1.1	[178.325-11] Emergency Discharge Control
178.325.1.2	[178.325-12] Shear Section
178.325.1.3	[178.325-13] Anchoring of Cargo Tank
178.325.1.4	[178.325-14] Gauging Devices
178.325.1.5	[178.325-15] Pumps
178.325.1.6	[178.325-16] Testing Requirements
178.325.1.7	[178.325-17] Marking of Cargo Tanks
178.325.1.8	[178.325-18] Certification
178.326	Specification MC 305; Cargo Tanks Constructed of Aluminum Alloys for High-Strength Welded Construction, Primarily For the Transportation of Flammable Liquids, or Poisonous Liquids, Class B
178.326.0.1	[178.326-1] General Requirements
178.326.0.2	[178.326-2] Material
178.326.0.3	[178.326-3] Thickness of Sheets
178.326.0.4	[178.326-4] Joints
178.326.0.5	[178.326-5] Bulkheads, Baffles, and Ring Stiffeners
178.326.0.6	[178.326-6] Closures for Manholes
178.326.0.7	[178.326-7] Overturn Protection
178.326.0.8	[178.326-8] Tank Outlets
178.326.0.9	[178.326-9] Vents, Valves, and Connections
178.326.1.0	[178.326-10] Protection of Fittings
178.326.1.1	[178.326-11] Emergency Discharge Control
178.326.1.2	[178.326-12] Shear Section

178.326.1.3 [178.326-13] Anchoring of Cargo Tank
178.326.1.4 [178.326-14] Gauging Devices
178.326.1.5 [178.326-15] Pumps
178.326.1.6 [178.326-16] Testing Requirements
178.326.1.7 [178.326-17] Marking of Cargo Tanks
178.326.1.8 [178.326-18] Certification
178.330 Specification MC 310; Cargo Tanks Constructed of Ferrous Materials, Primarily For the Transportation of Corrosive Liquids
178.330.0.1 [178.330-1] General Requirements
178.330.0.2 [178.330-2] Material
178.330.0.3 [178.330-3] Thickness of Metal
178.330.0.4 [178.330-4] Joints
178.330.0.5 [178.330-5] Bulkheads, Baffles, and Ring Stiffeners, Tank Supports, and Compartmentation
178.330.0.6 [178.330-6] Closures for Manholes
178.330.0.7 [178.330-7] Overturn Protection
178.330.0.8 [178.330-8] Outlets
178.330.0.9 [178.330-9] Vents, Valves, and Connections
178.330.1.0 [178.330-10] Protection of Fittings
178.330.1.1 [178.330-11] Emergency Discharge Control
178.330.1.2 [178.330-12] Shear Section
178.330.1.3 [178.330-13] Anchoring of Cargo Tank
178.330.1.4 [178.330-14] Gauging Devices
178.330.1.5 [178.330-15] Pumps and Compressors
178.330.1.6 [178.330-16] Testing Requirements
178.330.1.7 [178.330-17] Marking of Cargo Tanks
178.330.1.8 [178.330-18] Certification
178.331 Specification MC 311; Cargo Tanks Constructed of Ferrous Metals or Aluminum, Primarily for the Transportation of Corrosive Liquids
178.331.0.1 [178.331-1] General Requirements
178.331.0.2 [178.331-2] Material
178.331.0.3 [178.331-3] Thickness of Metal
178.331.0.4 [178.331-4] Joints
178.331.0.5 [178.331-5] Bulkheads, Baffles, and Ring Stiffeners, Tank Supports, and Compartmentation
178.331.0.6 [178.331-6] Closures for Manholes
178.331.0.7 [178.331-7] Overturn Protection
178.331.0.8 [178.331-8] Outlets
178.331.0.9 [178.331-9] Vents, Valves, and Connections
178.331.1.0 [178.331-10] Protection of Fittings
178.331.1.1 [178.331-11] Emergency Discharge Control
178.331.1.2 [178.331-12] Shear Section
178.331.1.3 [178.331-13] Anchoring of Cargo Tank
178.331.1.4 [178.331-14] Gauging Devices

178.331.1.5 [178.331-15] Pumps and Compressors
178.331.1.6 [178.331-16] Testing Requirements
178.331.1.7 [178.331-17] Marking of Cargo Tanks
178.331.1.8 [178.331-18] Certification
178.336 Specification MC 330; Cargo Tanks Constructed of Steel, Primarily for Transportation of Compressed Gases
178.336.0.1 [178.336-1] General Requirements
178.336.0.2 [178.336-2] Material
178.336.0.3 [178.336-3] Thickness of Metal
178.336.0.4 [178.336-4] Joints
178.336.0.5 [178.336-5] Bulkheads, Baffles, and Ring Stiffeners
178.336.0.6 [178.336-6] Closures for Manholes
178.336.0.7 [178.336-7] Overturn Protection
178.336.0.8 [178.336-8] Outlets
178.336.0.9 [178.336-9] Safety Relief Devices, Valves, and Connections
178.336.1.0 [178.336-10] Protection of Fittings
178.336.1.1 [178.336-11] Emergency Discharge Control
178.336.1.2 [178.336-12] Shear Section
178.336.1.3 [178.336-13] Anchoring of Cargo Tank
178.336.1.4 [178.336-14] Gauging Devices
178.336.1.5 [178.336-15] Pumps and Compressors
178.336.1.6 [178.336-16] Testing Requirements
178.336.1.7 [178.336-17] Marking of Cargo Tanks
178.336.1.8 [178.336-18] Certification
178.337 Specification MC 331; Cargo Tanks Constructed of Steel, Primarily For Transportation of Compressed Gases, As Defined in the Compressed Gas Section (Repealed)
178.337.0.1 [178.337-1] General Requirements (Repealed)
178.337.0.2 [178.337-2] Material (Repealed)
178.337.0.3 [178.337-3] Thickness of Tank Metal (Repealed)
178.337.0.4 [178.337-4] Joints (Repealed)
178.337.0.5 [178.337-5] Bulkheads, Baffles, and Ring Stiffeners (Repealed)
178.337.0.6 [178.337-6] Closures for Manholes (Repealed)
178.337.0.7 [178.337-7] Overturn Protection (Repealed)
178.337.0.8 [178.337-8] Outlets (Repealed)
178.337.0.9 [178.337-9] Safety Relief Devices, Valves, and Connections (Repealed)
178.337.1.0 [178.337-10] Protection of Fittings (Repealed)
178.337.1.1 [178.337-11] Emergency Discharge Control (Repealed)
178.337.1.2 [178.337-12] Shear Section (Repealed)
178.337.1.3 [178.337-13] Supporting and Anchoring (Repealed)
178.337.1.4 [178.337-14] Gauging Devices (Repealed)
178.337.1.5 [178.337-15] Pumps and Compressors (Repealed)
178.337.1.6 [178.337-16] Testing (Repealed)
178.337.1.7 [178.337-17] Marking (Repealed)

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178.337.1.8	[178.337-18] Certification (Repealed)
178.340	General Design and Construction Requirements Applicable to Specification MC 306 (Section 178.341), MC 307 (Section 178.342), and MC 312 (Section 178.343) Cargo Tanks (Repealed)
178.340.0.1	[178.340-1] Specification Requirements for MC 306, MC 307, and MC 312 Cargo Tanks (Repealed)
178.340.0.2	[178.340-2] General Requirements (Repealed)
178.340.0.3	[178.340-3] Material (Repealed)
178.340.0.4	[178.340-4] Structural Integrity (Repealed)
178.340.0.5	[178.340-5] Joints (Repealed)
178.340.0.6	[178.340-6] Supports and Anchoring (Repealed)
178.340.0.7	[178.340-7] Circumferential Reinforcements (Repealed)
178.340.0.8	[178.340-8] Accident Damage Protection (Repealed)
178.340.0.9	[178.340-9] Pumps (Repealed)
178.340.1.0	[178.340-10] Certification (Repealed)
178.341	Specification MC 306; Cargo Tanks (Repealed)
178.341.0.1	[178.341-1] General Requirements (Repealed)
178.341.0.2	[178.341-2] Thickness of Shells, Heads, Bulkheads, and Baffles (Repealed)
178.341.0.3	[178.341-3] Closures for Fill Openings and Manholes (Repealed)
178.341.0.4	[178.341-4] Vents (Repealed)
178.341.0.5	[178.341-5] Emergency Flow Control (Repealed)
178.341.0.6	[178.341-6] Gauging Devices (Repealed)
178.341.0.7	[178.341-7] Method of Test (Repealed)
178.342	Specification MC 307; Cargo Tanks (Repealed)
178.342.0.1	[178.342-1] General Requirements (Repealed)
178.342.0.2	[178.342-2] Thickness of Shells, Heads, Bulkheads, and Baffles (Repealed)
178.342.0.3	[178.342-3] Closures for Fill Openings and Manholes (Repealed)
178.342.0.4	[178.342-4] Vents (Repealed)
178.342.0.5	[178.342-5] Emergency Flow Control (Repealed)
178.342.0.6	[178.342-6] Gauging Devices (Repealed)
178.342.0.7	[178.342-7] Method of Test (Repealed)
178.343	Specification MC 312; Cargo Tanks (Repealed)
178.343.0.1	[178.343-1] General Requirements (Repealed)
178.343.0.2	[178.343-2] Thickness of Shell, Heads, Bulkheads, and Baffles of Non-Asme Code Tanks (Repealed)
178.343.0.3	[178.343-3] Closures for Manholes (Repealed)
178.343.0.4	[178.343-4] Vents (Repealed)
178.343.0.5	[178.343-5] Outlets (Repealed)
178.343.0.6	[178.343-6] Gauging Devices (Repealed)
178.343.0.7	[178.343-7] Method of Test (Repealed)
178.350	Specification 7A; General Packaging, Type A (Repealed)

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178.350.0.1	[178.350-1] General Requirements (Repealed)
178.350.0.2	[178.350-2] Specific Requirements (Repealed)
178.350.0.3	[178.35--3] Marking (Repealed)
178.1000	General
178.2000	Incorporation by Reference of 49 CFR 178
APPENDIX C	Tensile Speciment
APPENDIX D	Material Thickness (Repealed)
TABLE A	Minimum Thickness of Heads, Bulkheads, and Baffles (Repealed)
TABLE B	Minimum Thickness of Shell Sheets (Repealed)

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act (Ill. Rev. Stat. 1989, ch. 95 1-2, pars. 700-4(a) and 700-9(a)).

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 5 Ill. Reg. 1715, effective February 9, 1981; amended at 6 Ill;. Reg. 10036, effective August 2, 1982; amended at 8 Ill. Reg. 19640, effective October 1, 1984; codified at 8 Ill. Reg. 20047; amended at 8 Ill. Reg. 20064, effective October 1, 1984; amended at 10 Ill. Reg. 5897, effective April 1, 1986; amended at 10 Ill. Reg. 20770, effective December 1, 1986; amended at 11 Ill. Reg. 4786, effective March 10, 1987; amended at 11 Ill. Reg. 17904, effective October 20, 1987; amended at 12 Ill. Reg. 8093, effective April 26, 1988; amended at 13 Ill. Reg. 4004, effective March 14, 1989; amended at 14 Ill. Reg. 2651, effective February 1, 1990; amended at 15 Ill. Reg. 7771, effective May 7, 1991; amended at _____ Ill. Reg. _____, effective _____.

AGENCY NOTE: In reading this Part it is necessary to read Sections 178.1000 and 179.2000 prior to reading the remaining Section in numerical order.

Section 178.336.1.1 [178.336-11] Emergency Discharge Control

a) Excess-flow valves. ~~Must be installed and operate in accordance with 92 Ill. Adm. Code 173.33(h).~~ Each outlet of cargo tanks used for the transportation of liquefied compressed gases, except carbon dioxide, refrigerated liquid shall be provided with an approved suitable automatic excess flow valve or in lieu thereof may be fitted with an approved automatic quick-closing internal valve. These valves shall be located inside the tank or at a point outside the tank where the line enters or leaves the tank. The valve seat shall be located within a welded flange or its companion flange, or within a nozzle, or within a coupling. The installation shall be made in such a manner as reasonably to assure that any undue strain which causes failure requiring functioning of the valve shall cause failure in such a manner that it will not impair the operation of the valve.

b) Exception: Any liquid level gauging device which is constructed so that the outward flow of tank contents does not exceed that passed by a 0.060-inch diameter opening, or any safety device connection, is not required to be equipped with an excess-flow valve.

~~b)~~c) Shut-off valves. ~~Must be installed and operate in accordance with 92 Ill. Adm. Code 173.33(h)(3).~~ Each filling and discharge line must be provided with a manual shut-off valve located as close to the tank as practicable. However, when an internal shut-off valve that closes automatically is used, a manual shut-off valve must be located in the line ahead of the hose connection. The use of a so-called "stop-check" or excess flow valve to satisfy the requirements of this rule and of paragraph a) of this section with one valve is prohibited except as provided in 49 CFR 178.337-11(c).

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 178.336.1.5 [178.336-15] Pumps and Compressors

~~Pumps and compressors shall be as prescribed in 92 Ill. Adm. Code 173.33(f)(6).~~ Liquid pumps or gas compressors wherever used, must be of suitable design adequately protected against breakage by collisions, and kept in good condition. They may be driven by motor vehicle power takeoff or other mechanical , electrical, or hydraulic means. Unless they are of the centrifugal type, they shall be equipped with suitable pressure actuated by-pass valve permitting flow from discharge to suction or to the tank.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 178.2000 Incorporation By Reference of 49 CFR 178

a) As Part 178 of the Illinois Hazardous Materials Transportation Regulations the Department incorporates 49 CFR 178 by reference, as that Part of the federal hazardous materials transportation regulations was in effect on October 1, 1990, as amended at 55 FR 52402, December 21, 1990, subject only to the exceptions in subsection ~~(b)~~(f) of this Section. No later amendments to or editions of 49 CFR 178 are incorporated.

b) As Section 178.340 of the Illinois Hazardous Materials Transportation Regulations, the Department hereby incorporates 49 CFR 178.340 as that section of the federal hazardous materials transportation regulations was in effect on October 1, 1989.

c) As Section 178.341 of the Illinois Hazardous Materials Transportation Regulations, the Department hereby incorporates 49 CFR 178.341 as that section of the federal hazardous materials transportation regulations was in effect on October 1, 1989.

d) As Section 178.342 of the Illinois Hazardous Materials Transportation Regulations, the Department hereby incorporates 49 CFR 178.342 as that section of the federal hazardous materials transportation regulations was in effect on October 1, 1989.

e) As Section 178.343 of the Illinois Hazardous Materials Transportation Regulations, the Department hereby incorporates 49 CFR 178.343 as that section of the federal hazardous materials transportation regulations was in effect on October 1, 1989.

~~b)~~f) The following interpretations of, additions to and deletions from the 49 CFR 178 shall apply for purposes of this Part 178 of the Illinois Hazardous Materials Transportation Regulations.

1) All references to "this part" in the incorporated federal regulations shall mean Part 178 of the Illinois Hazardous Materials Transportation Regulations.

2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.

3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.

4) All references to Parts 174, 175 or 176, or to sections therein shall be read to refer to those Parts of sections in the federal hazardous materials transportation regulations.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

1) Heading of Part: Specification for Tank Cars

2) Code Citation: 92 Ill. Adm. Code 179

3) Section Numbers: Proposed Action:

179.2000 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 700-4(a) and 700-9(a)

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendment, the Department proposes to update the date of incorporation by reference of 49 CFR 179 as of October 1, 1990 and include the final rule adopted on December 21, 1990.

A review of the federal regulations adopted since October 1, 1990, to the proposed dates of incorporation by reference indicates there are certain changes made by US DOT not reflected in the Department's regulations. This rulemaking does have the effect of making substantive changes in the Department's regulations to bring Part 179 in line with the federal regulations. The following is a summary of the changes in US DOT regulations which are included in this proposed rulemaking.

By proposing this rulemaking, the Department's regulations will incorporate changes made to Part 179 by US DOT in rulemaking Docket:

HM-181 [55 FR 52402 (December 21, 1990)]

Docket HM-181 Amended the regulations by making changes to the Hazardous Materials Regulations with regard to the format of the regulations, the classification of materials, the hazard communication provisions and the packaging requirements. However, Part 179, containing the specifications for tank cars, received only minor revision in this rulemaking. Among those changes, special commodity requirements for multi-unit tank car tanks, Section 179.302, was removed.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

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NOTICE OF PROPOSED RULES

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule (amendment, repealer) contain incorporations by reference? Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Rules do not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Mr. Tom Crawford, Manager
Regulations and Training Unit
Department of Transportation
Division of Traffic Safety
2300 South Dirksen Parkway
Springfield, Illinois 62764
(217) 785-3064

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to D.C.C.A.: October 23, 1991

B) Types of small businesses affected: Those businesses that offer shipments or carry hazardous materials by highway.

C) Reporting, bookkeeping or other procedures required for compliance: No new or additional reporting requirements are required for compliance with this Part.

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D) Types of professional skills necessary for compliance: No new or additional professional skills are required for compliance with this Part.

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER c: HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS

PART 179
SPECIFICATIONS FOR TANK CARS

Section
179.1000 General
179.2000 Incorporation By Reference of 49 CFR 179

AUTHORITY: Implementing Section 4(a) and authorized by Section 9(a) of the Illinois Hazardous Materials Transportation Act (Ill. Rev. Stat. 1989, ch. 95 1-2, pars. 700-4(a) and 700-9(a)).

SOURCE: Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; amended at 6 Ill. Reg. 4287, effective April 16, 1982; old rules repealed, new rules adopted and codified at 8 Ill. Reg. 19677, effective October 1, 1984; amended at 10 Ill. Reg. 5909, effective April 1, 1986; amended at 10 Ill. Reg. 20824, effective December 1, 1986; amended at 11 Ill. Reg. 4796, effective March 10, 1987; amended at 11 Ill. Reg. 17915, effective October 20, 1987; amended at 12 Ill. Reg. 8102, effective April 26, 1988; amended at 15 Ill. Reg. 7781, effective May 7, 1991; amended at _____ Ill. Reg. _____, effective _____.

Section 179.2000 Incorporation By Reference of 49 CFR 179

a) As Part 179 of the Illinois Hazardous Materials Transportation Regulations the Department incorporates the following sections of 49 CFR 179 by reference, as those sections of the federal hazardous materials transportation regulations were in effect on October 1, 1990; as amended at 55 FR 52402, December 21, 1990, subject only to the exceptions in subsection (b) of this Section. No later amendments to or editions of those sections of 49 CFR 179 of the federal regulations are incorporated.

179.1	General
179.2	Definitions and abbreviations
179.5	Certificate of Construction
179.6	Repairs and alterations
179.10	Tank mounting
179.11	Welding certification
179.12	Interior heater systems
179.300	General specifications applicable to multi-unit tank car tanks designed to be removed from car structure for filling and emptying (classes DOT-106A and 110AW).

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENT(S)

179.301 Individual specification requirements for multi-unit tank car tanks.
~~179.302 Special commodity requirements for multi-unit tank car tanks.~~

b) The following interpretations of, additions to and deletions from the above incorporated sections of 49 CFR 179 shall apply for purposes of this Part 179 of the Illinois Hazardous Materials Transportation Regulations:

1) All references to "this part" in the incorporated federal regulations shall mean Part 179 of the Illinois Hazardous Materials Transportation Regulations.

2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.

3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations except references to 179.3 shall mean 49 CFR 179.3.

4) 49 CFR 179.2(a)(4) is deleted and replaced by the following: "'DOT' means the U.S. Department of Transportation and 'Department' means the Illinois Department of Transportation."

(Source: Amended at _____ Ill. Reg. _____, effective _____)

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Uniform Fiscal and Administrative Standards for the Job Training Partnership Act

2) Code Citation: 56 Ill. Adm. Code 2630

3)

Section Numbers:	Adopted Action:
2630.5	New Section
2630.101	Amendment
2630.102	Amendment
2630.105	New Section
2630.120	Amendment

4) Statutory Authority: Implementing Section 108 of the Job Training Partnership Act (29 U.S.C.A, revised 1990) and authorized by Section 46.40(b) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.40(b)).

5) Effective Date of Amendments: October 24, 1991

6) Does this rulemaking contain an automatic repeal date? No.

7) Do these amendments contain incorporations by reference? Yes.

8) Date Filed in Agency's Principal Office: October 24, 1991.

9) Notice of Proposal Published in Illinois Register: October 26, 1990, 14 Ill. Reg. 17407.

10) Has JCAR issued a Statement of Objections to these amendments? No.

11) Differences between proposal and final version:

In the main source note and in the section source notes changed the Illinois Register volume from "14" to "15".

Section 2630.101
In line 2, replaced "54 FR 39133-39134" with "54 FR 39131-39148 and codified at 20 CFR 629, 630, and 631 (April 1, 1991 edition)".

Section 2630.102
Added "and codified at 20 CFR 629.39 (April 1, 1991 edition)" to the end of the section.

Section 2630.104
The entire section has been deleted.

Section 2630.105
The third line of subsection (a) has been rewritten to read: "39133 and codified at 20 CFR 629.38(e)(2)(April 1, 1991 edition).".

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In line 7 of subsection (a)(1), deleted "basic skills training,".

Added the following language after the second sentence of subsection (a)(1), "For programs authorized under the EDWAA amendments to JTPA, core training will consist of the activities authorized under Section 314(d)(1) of the Act, "retraining services", with the exclusion of out-of-area job search and relocation."

Deleted the second sentence of subsection (a)(2) and replaced it with the following language: "Each contract must clearly list and separately price each type of training curriculum to be provided. Curricula are to be priced by type, duration, and other factors governing instructional costs, material costs, or facility costs, and each contract must specify the fixed unit price of each type of planned training. All elements constituting the training package must be clearly spelled out in the contract. This includes the course schedule for each element, the hours and/or the numbers of weeks of training, the expected number of participants who would require the element, the policy regarding non-completers and the measurable outcome."

Deleted the fifth sentence of subsection (a)(2).

Deleted the following language from the end of the last sentence of subsection (a)(2): "and identified in contracting procedures".

The last sentence of subsection (b)(1) has been rewritten to read: "This wage rate shall be developed locally and reflect the appropriate entry level wage for the specific or general occupational target given the relative skill level of trainees."

In line 6 of subsection (b)(5), changed "would" to "shall".

In line 1 of subsection (b)(6), changed "should" to "shall".

In line 5 of subsection (c)(1), deleted "State".

In line 6 of subsection (c)(1), inserted "of this Part" after "requirements".

In line 1 of subsection (c)(5)(C)(v), changed "nonprofit" to "non-profit".

In line 2 of subsection (c)(5)(C)(vi), placed a comma after "costs".

Section 2630.120
In line 2, replaced "Title" with "grant".

In line 3, deleted "II and II".

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In line 7, corrected the spacing in the cite "50 FR 19114-19119".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes. Additionally, several technical changes have been made at JCAR's request.

13) Will these amendments replace an emergency amendment currently in effect? No.

14) Are there any amendments pending on this Part? Yes.

Section Numbers:	Proposed Action:	Illinois Register Citation:
2630.82	Amendment	May 31, 1991 15 Ill. Reg. 8081
2630.83	Amendment	May 31, 1991 15 Ill. Reg. 8081
2630.82	Amendment	August 16, 1991 15 Ill. Reg. 11545

15) Summary and Purpose of Amendments: This rulemaking serves to make the following changes to the department's rules entitled "Uniform Fiscal and Administrative Standards for the Job Training Partnership Act" (56 Ill. Adm. Code 2630).

A new Section (2630.5) has been added which is entitled "Incorporation by Reference".

The Job Training Partnership Act (JTPA) implementing regulations were changed on September 22, 1989; therefore the old regulations are being deleted and new regulations are being adopted which govern the classification of costs (Section 2630.101) and limitations on certain costs (Section 2630.102).

The U.S. Department of Labor (DOL) has issued its interpretations and clarifications regarding fixed unit price contracts for training services under JTPA. Additionally, DOL has allowed the department to determine how the profits earned by non-profit service providers are to be used to further program objectives. Amendments to Section 2630.105 incorporate these DOL interpretations and clarifications as well as applicable departmental policies.

Amendments to Section 2630.120 incorporate the audit requirements promulgated by the U.S. Office of Management and Budget for audits of federal grant programs such as JTPA.

16) Information and questions regarding these adopted amendments shall be directed to:

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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Mr. John D. Taylor, Deputy Director
Department of Commerce and Community Affairs
Bureau of Program Administration
620 East Adams Street, 5th floor
Springfield, Illinois 62701
(217) 782-6136

The full text of the Adopted Amendments begins on the next page:

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TITLE 56: LABOR AND EMPLOYMENT
CHAPTER III: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 2630
UNIFORM FISCAL AND ADMINISTRATIVE STANDARDS FOR
THE JOB TRAINING PARTNERSHIP ACT

SUBPART A: INTRODUCTION

Section
2630.2 Definitions
2630.5 Incorporation by Reference

SUBPART B: ADMINISTRATIVE STANDARDS AND PROCEDURES

Section
2630.80 Program Income
2630.81 Insurance
2630.82 Procurement
2630.83 Property Management
2630.84 Management Systems, Reporting, and Recordkeeping
2630.85 Cash Management

SUBPART C: FISCAL STANDARDS AND PROCEDURES

Section
2630.100 Allowable Costs
2630.101 Classification of Costs
2630.102 Limitations on Certain Costs
2630.103 Matching Funds (Repealed)
2630.105 Fixed Unit Price Contracting

SUBPART D: COST DETERMINATION

Section
2630.110 Principles for Determining Costs
2630.111 Guidelines for Cost Allocation Plans
2630.112 Standards for Selected Items of Cost
2630.113 Indirect Cost Proposals
2630.114 Suggested Bases for Cost Distribution

SUBPART E: AUDIT

Section
2630.120 Audit Requirements
2630.121 Oversight
2630.122 Sanctions
2630.123 Federal Cognizance

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AUTHORITY: Implementing Section 46.41 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.41) and the Job Training Partnership Act (29 U.S.C.A. 1501 et seq., revised 1990) and authorized by Section 46.40(b) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 46.40(b)).

SOURCE: Adopted at 8 Ill. Reg. 3616, effective March 12, 1984; amended at 8 Ill. Reg. 14307, effective August 2, 1984; amended at 8 Ill. Reg. 16422, effective August 31, 1984; amended at 8 Ill. Reg. 22515, effective November 5, 1984; amended at 9 Ill. Reg. 6159, effective April 24, 1985; amended at 9 Ill. Reg. 6692, effective April 25, 1985; amended at 9 Ill. Reg. 18475, effective November 18, 1985; amended at 9 Ill. Reg. 20669, effective December 16, 1985; amended at 10 Ill. Reg. 8083, effective May 6, 1986; amended at 10 Ill. Reg. 21069, effective December 5, 1986; amended at 11 Ill. Reg. 11682, effective June 29, 1987; amended at 12 Ill. Reg. 15961, effective September 26, 1988; amended at 14 Ill. Reg. 13984, effective August 20, 1990; amended at 14 Ill. Reg. 20349, effective December 7, 1990; amended at 15 Ill. Reg. 16032, effective October 24, 1991.

Section 2630.5 Incorporation by Reference

Any incorporation by reference in this Part of the rules and regulations of any agency of the United States or of standards of a nationally recognized organization or association includes no new amendments or editions after the date specified.

(Source: Added at 15 Ill. Reg. 16032, effective October 24, 1991)

Section 2630.101 Classification of Costs

Costs shall be classified according to the provisions of federal regulations published in the Federal Register on September 22, 1989 at 54 FR 39131-39148 and codified at 20 CFR 629, 630, and 631 (April 1, 1991 edition).

~~a) General:--Allowable-costs-shall-be-charged-against-the-following costs-categories:--training;-administration;-and;-participant support.--Costs-are-allowable-to-a-particular-cost-category-to the-extent-that-benefits-are-received-by-such-category.--Grant recipients-and-other-grantees-shall-plan;-control;-and-charge expenditures-against-the-cost-categories.~~

~~b) Cost--assignment--to--the--training--cost--category--pursuant--to paragraph-(a)-of-this-section-include-the-following:~~

~~1) costs-associated-with-on-the-job-(OJT)-training-services, including--grantee--and--employer---contributions--for--the duration-of-OJT-status;~~

~~2) employer-outreach-necessary-to-obtain-job-listings-or-job training-opportunities;~~

~~3) salaries,-wages,-fringe-benefits,-equipment-and-supplies-of personnel-directly-engaged-in-providing-training-(including remedial---education;---job---related---counseling---for participants;--intake--services--other--than--Management information-System-(MIS)-cost-and-job-development;-job search-assistance;-including-preparation-for-work-and-labor market-orientation);~~

~~4) books-and-other-teaching-aids;~~

~~5) equipment-and-other-materials-used-in-providing-training-to participants;~~

~~6) classroom-space-and-utility-costs;~~

~~7) tuition-and-entrance-fees-that-represent-instructional costs--which--have--a--direct--and--immediate--impact--on participants--(e.g.,--educational--services--which--are delivered-promptly-upon-payment);~~

~~8) fifty-percent-of-the-costs-of-a-limited-work-experience program;~~

~~9) costs-associated-with-a-maximum-of-250-hours-of-youth tryout-employment;~~

~~10) costs-billed-as-a-single-unit-may-be-charged-entirely-to training-when-the-agreement:~~

~~A) is-for-training;-and~~

~~B) is-fixed-unit-price;-and;~~

~~C) stipulates-that-full-payment-for-the-full-unit-price will-be-made-only-upon-completion-of-training-by-a participant-and-placement-of-the-participant-into unsubsidized-employment-in-the-occupation-trained-for and-at-no-less-than-the-wage-specified-in-the agreement--or--in--the--attainment--of--an--outcome specified-in-Section-106(b)(2)-of-the-Act.~~

~~c) Training-costs-shall-not-include-the-direct-or-indirect-costs associated-with-the-supervision-and-management-of-the-program.~~

~~d) Training-costs-do-not-include-supportive-service-costs-as-defined in-Section-2630.2-of-this-Part-or-other-participant-support-costs which-are-determined-to-be-necessary-at-the-local-level.~~

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e) All costs of employment generating activities to increase job opportunities for eligible individuals in the area and the remaining 50 percent of the costs of a limited work experience program, as well as 100 percent of the costs of other work experience programs, are not allowable training costs.

f) Salaries and fringe benefits of project directors, program analysts, labor market analysts, supervisors, and other administrative positions shall not be charged to training. The compensation of individuals who both instruct and supervise other instructors shall be prorated among the training and administration cost categories based on time records or other verifiable means (e.g., statistical reports, travel logs, etc.).

g) Construction costs are allowable training or participant support costs only when funds are used to:

1) purchase equipment, materials, and supplies for use by participants while on the job and for use in the training of such participants. Examples of such equipment, materials, and supplies are hand tools, workclothes, and other low cost items; and

2) cover costs of a training program in a construction occupation, including costs such as instructors' salaries, training tools, books, and needs based payments and compensation to participants.

h) The cost of incorporating a PIC or consortium administrative entity for the purpose of carrying out programs under the Act shall be charged in accordance with the Act.

i) Any single cost which is chargeable to training and to one or more other cost categories shall be prorated among training and other appropriate cost categories.

(Source: Amended at 15 Ill. Reg. 16032, effective October 24, 1991)

Section 2630.102 Limitations on Certain Costs

Grantees shall observe limitations on costs in accordance with the provisions of federal regulations published in the Federal Register on September 22, 1989 at 54 FR 39134 and codified at 20 CFR 629.39 (April 1, 1991 edition).

a) Grantees are required to observe the following limitations:

1) Not less than 85 percent of the funds for programs under Title III of the JTPA may be expended for the costs of training and participant support, except as provided elsewhere in this Part, or except as provided in the grant agreement.

2) Administrative costs are limited to 15 percent of funds available.

b) Funds allotted under the following sections of the JTPA are exclusions to paragraph (a) of this section:

1) Section 202(b)(4);

2) Section 202(b)(1), to carry out activities pursuant to Section 123(c)(2)(A);

3) Section 202(b)(3); and

4) Section 301(a).

c) Not less than 70 percent of the funds for programs under Title III of the Act may be expended for the costs of training, except as provided in paragraphs (d) and (e) of this section. There is further established a 30 percent limitation on combined administrative and participant support costs. This 30 percent limitation may be waived by the State only in accordance with paragraph (e) of this section.

d) Funds allotted under the following sections of the Act are exclusive to paragraph (c) of this section:

1) Section 202(b)(4);

2) Section 202(b)(1), to carry out activities pursuant to Section 123(c)(2);

3) Section 202(b)(3), to provide technical assistance to SDAs within Illinois that do not qualify for incentive grants;

4) Section 251; and

5) Section 301(a).

e) Expenditures may not be in excess of the limitation contained in paragraph (c) of this section except as provided for in Section 108(c) of the Act.

f) Administrative funds within a service delivery area may be pooled and used for all administrative costs of program within the service delivery area assisted with funds under the Act.

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(Source: Amended at 15 Ill. Reg. 16032, effective October 24, 1991)

Section 2630.105 Fixed Unit Price Contracting

a) Training Activities Chargeable under federal regulations published September 22, 1989 in the Federal Register at 54 FR 39133 and codified at 20 CFR 629.38(e)(2) (April 1, 1991 edition).

1) For the purpose of 20 CFR 629.38(e)(2), training must consist of a core of either occupational training or basic skills/remediation training, or both. Provided that core training is the primary purpose of the contract, other elements of training such as outreach, intake, skill assessment, employability development planning, participant services, job search assistance and follow-up services are allowable. For programs authorized under the EDWAA amendments to JTPA, core training will consist of the activities authorized under Section 314(d)(1) of the Act, "retraining services", with the exclusion of out-of-area job search and relocation. Training must be geared to making the participant employment competent and must be tied to a specific or general occupational target. Job search assistance only and the types of participant intervention that do not provide core training are not acceptable for the purpose of 20 CFR 629.38(e)(2).

2) Fixed unit price contracts are required to outline all elements of the training package. Each contract must clearly list and separately price each type of training curriculum to be provided. Curricula are to be priced by type, duration, and other factors governing instructional costs, material costs, or facility costs, and each contract must specify the fixed unit price of each type of planned training. All elements constituting the training package must be clearly spelled out in the contract. This includes the course schedule for each element, the hours and/or the numbers of weeks of training, the expected number of participants who would require the element, the policy regarding non-completers and the measurable outcome. Comprehensive service contracts are acceptable as long as each sequence is outlined and each training curriculum has a separate unit price. Each participant receiving service under this type of contract must receive core training. Minimally acceptable requirements for curricula and core training must be developed at the local level.

3) Placement must be at or above the specific wage in the agreement and reflect an appropriate entry wage rate for

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the specific or general occupational target, given the relative skill level of trainees. Full performance for youth is attainment of one or more PIC-recognized competency skill areas per the list of positive outcomes found in Section 106(b)(2) of the Act or if the training results in unsubsidized employment.

b) Payments to Contractors Under 20 CFR 629.38(e)(2)

1) Full payment of the fixed unit price contract is made only upon completion of training; placement in the occupation or within a general occupational target trained for; and at not less than the wage rate specified in the agreement. This wage rate shall be developed locally and reflect the appropriate entry level wage for the specific or general occupational target given the relative skill level of trainees.

2) Benchmark payments may be under fixed unit price contracts only after the participant receives some level of occupational or remedial core training. The criteria required to document the attainment of such benchmarks must be specified in the contractual agreement. Payment of benchmarks may not be more than the estimated cost of the training increments and the subtotal of all benchmark payments prior to placement must be not more than the total costs associated with the operation of the contract.

3) In cases where the participants are placed successfully but do not complete training, or complete training and are placed below the specified wage level, the agreement must provide for a method to reduce the payment. Costs associated with intake, enrollment, assessment or job search activities without participation in core training are not chargeable 100 percent to the training cost category. Local contracting procedures must include methodology to determine costs budgeted to the appropriate cost categories. The payment schedule amount for any intermediate benchmark cannot be more than the estimated costs of providing that increment of the planned training.

4) Contracts written under the provisions of 20 CFR 629.38(e)(2) may not involve intermediary administrative agencies unless administrative costs associated with these agencies are identified and charged to the administrative cost category. On-the-job training agreements may be written pursuant to one general contract provided that the general contract specifies the type and duration of OJT to be developed and other services to be performed so that

proposed costs can be fairly analyzed.

5) In order to qualify for provisions at 20 CFR 629.38(e)(2), a minimum level of contract placement (or competency attainment in the case of youth contracts) performance to be attained must be specified in the contractual agreement. A level of placement (or competency) performance below this threshold shall constitute a failed contract and the costs attributed to the agreement must be allocated among the three cost categories. Procedures for this allocation must be established and specified in the contract agreement.

6) A significant portion of the total fixed price shall be held back until earned through placement in order to ensure the principle of contractor risk and to stimulate contractor performance to earn full payment. A hold back level of 25 to 30 percent of the total unit price is recommended, although this amount may be adjusted to accommodate longer term and more intensive programs serving at-risk populations, recognizing the operational needs of contractors for funds.

c) Revenue in Excess of Costs or Profits for Public or Private Non-Profit Contractors

1) Public or private non-profit contractor revenues in excess of costs must be treated as program income. These funds must be used to underwrite training or training related services consistent with the purposes of JTPA. Contractors must comply with accounting and recordkeeping requirements of this Part so that the amount of program income accrued by the contractors can be determined. Program income must maintain its identity as JTPA funds.

2) Fixed unit price contracts must identify the estimated costs of training, the amount of program income allowable, and the method of disposition of the program income. Program income recaptured by the grant recipient must follow the guidelines of Section 2630.80. Program income must be treated the same as other funds in a contractual agreement and are subject to the same audit requirements. Program income could be used to pay for required audits.

3) Purchases of non-expendable personal property are allowable only if agreed upon in the contract negotiations and contract budget and are specific as to amount and type of cost. As a reminder, the State retains title to all real and non-expendable personal property (Section 2630.83).

4) For-profit subsidiaries of not-for-profit organizations which enter into agreement pursuant to 20 CFR 629.38(e)(2) shall be considered wholly owned subsidiaries of and maintain the same not-for-profit status as the parent organization.

5) When profits or revenues in excess of costs are earned by a contractor or service provider, the grantee may allow the service provider to retain the profits and utilize profits to further JTPA objectives in accordance with an established contract, or require all profits earned by service providers be returned to the grantee. Following are recordkeeping and accounting requirements for each of these options.

A) Service Provider Retains Profit

The grantee may allow profits to be retained by the service provider. The service provider may use these profits to conduct additional fixed unit price contract activities in accordance with the provisions of 20 CFR 629.38(e)(2) and the United States Department of Labor's (DOL's) official interpretation as published in the March 13, 1989 Federal Register at 54 FR 10459-10467, or the service provider may use profits to further JTPA program objectives and expend such funds for administration, training, and/or supportive services through a line item, cost reimbursement contract. If the service provider expends profits through a cost reimbursement contract, the fiscal and administrative standards for the Job Training Partnership Act (Sections 2630.2, 2630.82, 2630.100, 2630.101, 2630.102, 2630.110, 2630.111, 2630.112, and 2630.114) are applicable. The following provisions should be reflected in the "Assurances" section of contracts with service providers.

i) All profits must be accounted for separately, by contract, program year, and title, at the service provider level. At the end of the contract, profits must be reported to the grantee.

ii) At the end of the program year, contract period, or the grantee's established close-out date, whichever is appropriate, a "contract close-out" showing the amount of profit earned must be submitted to the grantee for each

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contract. Subsequently, audited financial statements must be obtained by the grantee to confirm the final expenditures as reported on the close-out. The audits must be performed in accordance with "Government Auditing Standards, Standards for Audit of Governmental Organizations, Programs, Activities, and Functions" (1988 revision, issued by the Comptroller General of the United States, United States General Accounting Office and for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, stock number 020-000-00243-3) and the "Compliance Supplement for Single Audits of State and Local Governments" (April 1985, issued by the Executive Office of the President, OMB and for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402).

iii) Before proceeding to expend profits, the service provider must receive written permission from the grantee under the provisions of a contract.

iv) The profits may be expended by the service provider on an ongoing basis throughout the term of the original contract or in a subsequent program year. If the service provider is allowed to expend the profits on an ongoing basis, the original contract must specify the scope of work to be achieved by the expenditure of the profits.

v) At the service provider level, fund accounting practices must be followed. Costs that benefit more than one contract (cost objective) must be allocated between the benefitting contracts according to the provisions of this Part. All costs charged against the original contract or the expenditure of the profits must be in accordance with the provisions of the Act, this Part, and applicable policies.

vi) The grantee must implement a tracking mechanism that will identify and track the amount of profits earned and the amounts expended by each service provider, by contract and by title.

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vii) If a service provider that generated the profits is not selected to provide services in a subsequent program year, the unexpended profits must be returned to the grantee.

viii) The profits earned by service providers are not to be reported to the Department by the grantee as program income on the grant close-out. These profits do not become part of the JTPA funds that the grantee receives from the Department. However these funds must be accounted for at the grantee and service provider level. Further, the grantee must submit a report on the expenditure of profits to the Department each year by September 30th separate from the grant close-out.

ix) All profits must be expended within 2 years of the program year in which it was earned. Funds not expended during this period must be returned to the Department. It is recommended that profits be expended on an accounting first in, first out basis.

x) All non-expendable property procured with the profits will be JTPA property, to be tagged with Department tags, and property records must be maintained by the grantee.

xi) All participants served with the expenditure of profits must be tracked according to the management information system reporting requirements established by the Department.

B) Grantee Recaptures Profit

The grantee may require that any profits earned by the service provider be returned to the grantee. The recapture (refund) of profits will be used to establish a "program income" revolving fund (separate from title funds). This recapture (refund) of profits is not to be reported to the Department on the close-out package.

i) The grantee may retain the program income for its own use or use it to support a fixed-unit price or cost reimbursement contract with any service provider (in accordance with guidelines in subsection (c)(5)(A)). The expenditure of

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program income must comply with the fiscal and administrative standards for the Job Training Partnership Act (Sections 2630.2, 2630.82, 2630.100, 2630.101, 2630.102, 2630.110, 2630.111, 2630.112, and 2630.114).

ii) All profits must be accounted for separately, by contract, program year, and title, at the service provider level. At the end of the contract, the program income must be returned to the grantee.

iii) At the end of the program year, contract period, or the grantee's established close-out date, whichever is appropriate, a "contract close-out" showing the amount of program income earned and being returned must be submitted to the grantee for each contract. Subsequently, audited financial statements must be obtained by the grantee to confirm the final expenditure as reported on the closeout. The audits must must be performed in accordance with "Government Auditing Standards, Standards for Audit of Governmental Organizations, Programs, Activities, and Functions" (1988 revision) and the "Compliance Supplement for Single Audits of State and Local Governments" (April 1985).

iv) At the service provider level, fund accounting practices must be followed. Costs that benefit more than one contract (cost objective) must be allocated between the benefitting contracts according to the provisions of this Part. All costs charged against the original contract or the expenditure of the profits must be in accordance with provisions of the Act, this Part, and applicable policies.

v) The grantee must implement a fund accounting tracking mechanism for the program income revolving fund that will identify and track the amount of profits returned by each service provider, by contract, and by title.

vi) The recaptured profits are not to be reported to the Department as program income on the grant close-out. These profits do not become part of the JTPA funds that the grantee receives from the Department nor will

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expenditures be reduced by the amount of recaptured profits. However, these funds must be accounted for at the grantee and service provider level. Further, the grantee must submit a report on the expenditure of profits to the Department each year by September 30th separate from the grant close-out.

vii) All such program income must be spent within 2 years of the program year in which it was earned. Funds not expended during this period must be returned to the Department. It is recommended that profits be expended on an accounting first in, first out basis.

viii) All non-expendable property procured with such program income will be JTPA property, to be tagged with Department tags, and property records must be maintained by the grantee.

ix) Interest earned on the program income fund may be retained by the grantee and used for corporate purposes.

x) All participants served with the expenditure of such program income must be tracked according to the MIS reporting requirements established by the Department.

C) With regard to profits or losses at a particular non-profit service provider:

i) Losses incurred on one contract may be offset by profits on another contract within the same title, within the same program year, with approval from the grant recipient.

ii) Losses or profits incurred on a contract under a particular title may not be offset by profits or losses on a contract under a different title.

iii) Losses or profits incurred on any contract in a particular program year may not be offset by losses or profits in a different program year, except losses which are due to carry-over participants.

iv) Losses or profits incurred by a non-profit

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service provider may not be offset by losses or profits incurred by another service provider.

v) Profits earned by a non-profit service provider may be used for any JTPA authorized activity and is not restricted in its use to the same activity or contract which generated the profit. The SDA may put language into the contract document that gives service providers the authority to use the profit (earned on that contract) consistent with JTPA authorized activity, without the service provider and the SDA having to go through a formal contract modification process.

vi) Costs that are not entirely known at contract close-out, such as audit costs and legal costs, can be paid, as governed by existing state policies related to belated costs (see Section 2630.112(a)).

vii) Profits earned on all failed contracts must be returned to the SDA.

(Source: Added at 15 Ill. Reg. 16032, effective October 24, 1991)

Section 2630.120 Audit Requirements

At least once every two years, or more frequently if required by the State's grant agreement, an independent financial and compliance audit of the grant ~~Title II and II~~ funds received by the grantee shall be performed ~~as required by the State~~. All such audits shall be conducted in accordance with the auditing standards specified in Section 164(a)(3) of the Act, OMB Circular A-128 entitled "Audits of State and Local Governments", published in the Federal Register on May 6, 1985 at 50 FR 19114-19119 or OMB Circular A-133 entitled "Audits of Institutions of Higher Education and Other Nonprofit Organizations", published in the Federal Register on March 16, 1990 at 55 FR 10019-10025, whichever is applicable, and in accordance with "Government Auditing Standards, Standards for Audit of Governmental Organizations, Programs, Activities, and Functions" (1988 revision) and the "Compliance Supplement for Single Audits of State and Local Governments" (April 1985).

(Source: Amended at 15 Ill. Reg. 16032, effective October 24, 1991)

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1) The Heading of the Part: Standard Filing Requirements for Electric, Gas, Water and Sewer Utilities and Telecommunications Carriers in Filing for an Increase in Rates

2) Code Citation: 83 Ill. Adm. Code 285

3) Section Numbers: Adopted Action:

285.210 Amendment

4) Statutory Authority: Implementing Section 9-201 and authorized by Section 10-101 of the Public Utilities Act (Ill. Rev. Stat. 1989, ch. 111 2/3, pars. 9-201 and 10-101).

5) Effective Date of Amendment: November 1, 1991

6) Does this rulemaking contain an automatic repeal date? No.

7) Does this amendment contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: October 17, 1991

9) Notice of Proposal Published in Illinois Register:

July 5, 1991, at 15 Ill. Reg. 9807

10) Has JCAR issued a Statement of Objections to this amendment? No.

11) Difference(s) between proposal and final version: None.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes required.

13) Will this amendment replace an emergency amendment currently in effect? No.

14) Are there any amendments pending on this Part? No.

15) Summary and Purpose of Amendment: This amendment corrects an error in the filing of amendments at 14 Ill. Reg. 6000.

NOTICE OF ADOPTED AMENDMENT

16) Information and questions regarding this adopted amendment shall be directed to:

Conrad Rubinkowski
Illinois Commerce Commission
527 East Capitol Avenue
P.O. Box 19280
Springfield, IL 62794-9280
(217)785-8439

The full text of the Adopted Amendment begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER b: PROVISIONS APPLICABLE TO MORE THAN ONE KIND OF UTILITY

PART 285
STANDARD FILING REQUIREMENTS FOR ELECTRIC, GAS, WATER AND SEWER UTILITIES AND TELECOMMUNICATIONS CARRIERS IN FILING FOR AN INCREASE IN RATES

SUBPART A: GENERAL INSTRUCTIONS

Section
285.110 Purpose
285.115 Definitions
285.120 Applicability
285.130 Minimum Requirements
285.140 Waiver of Information Requirements
285.145 Compliance
285.150 Test Year
285.160 Submission of Written Testimony
285.170 Schedules
285.180 Working Papers

SUBPART B: SUPPLEMENTAL FILING REQUIREMENTS (L)

Section
285.205 Information to be Included
285.210 Material to be Filed

SUBPART C: SUPPLEMENTAL INFORMATION

Section
285.310 Information to be Made Available

SUBPART D: PRODUCTIVITY DATA AND COMPONENT EFFICIENCY MEASURES (L)

Section
285.405 Information to be Made Available
285.410 Productivity Data
285.420 Component Efficiency Measures

SUBPART E: PROPRIETARY AND CONFIDENTIAL INFORMATION

Section
285.510 Proprietary and Confidential Information

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SUBPART F: REVENUE AND FINANCIAL SUMMARIES

Section
285.1000 Revenue and Financial Summaries
285.1005 Schedule A-1 Comparison of Present and Proposed Rates Jurisdictional Pro Forma (Non-Telecommunications Carriers)
285.1010 Schedule A-2 Comparison of Present and Proposed Rates (Telecommunications Carriers)
285.1015 Schedule A-3 Overall Financial Summary

SUBPART G: RATE BASE

Section
285.2000 Rate Base Instructions
285.2005 Schedule B-1 Jurisdictional Rate Base Summary
285.2010 Schedule B-2 Plant in Service by Major Property Grouping or Major Account (Original Cost)
285.2015 Schedule B-2.1 Proposed Adjustments to Plant in Service (Original Cost)
285.2020 Schedule B-2.2 Gross Additions, Retirements and Transfers (Original Cost)
285.2025 Schedule B-2.3 Property Merged or Acquired from Other Utilities
285.2030 Schedule B-2.4 Leased Property Included in Rate Base
285.2035 Schedule B-2.5 Property Held for Future Use Included in Rate Base
285.2040 Schedule B-2.6 Property Excluded from Rate Base
285.2045 Schedule B-3 Depreciation Reserve
285.2050 Schedule B-3.1 Proposed Adjustments to Depreciation Reserve
285.2055 Schedule B-3.2 Depreciation Accrual Rates by Accounts, Functional Class or Major Property Group
285.2060 Schedule B-4 Construction Work in Progress
285.2065 Schedule B-4.1 (L) Construction Work in Progress Percent Complete
285.2070 Schedule B-5 Allowance for Working Capital
285.2075 Schedule B-5.1 Balance Sheet Analysis
285.2080 Schedule B-6 Jurisdictional Allocation Factors
285.2085 Schedule B-6.1 Jurisdictional Allocation Statistics - Rate Base
285.2090 Schedule B-6.2 Explanation of Changes in Allocation Procedures - Rate Base
285.2095 Schedule B-7 Comparative Balance Sheet for Most Recent Five Fiscal or Calendar Years
285.2100 Fair Value Rate Base

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285.2105 Schedule B-8 Jurisdictional Current Value Rate Base Summary
285.2110 Schedule B-8.1 Current Value Plant in Service by Major Property Grouping or Major Account
285.2115 Schedule B-8.2 Proposed Adjustments to Current Value Plant in Service
285.2120 Schedule B-8.3 Current Value Depreciation Reserve
285.2125 Schedule B-8.4 (L) Adjustments to Current Value Depreciation Reserve

SUBPART H: OPERATING INCOME

Section
285.3000 Operating Income Instructions
285.3005 Schedule C-1 Jurisdictional Operating Income Summary
285.3010 Schedule C-2 Detailed Jurisdictional Operating Income Statement
285.3015 Schedule C-3 Summary of Utility Proposed Adjustments
285.3020 Schedules C-3.1, 2, 3, etc. Detailed Adjustments
285.3025 Schedule C-4 Reconciliation of Filed Operating Income and Expense
285.3030 Schedule C-5 Summary of Jurisdictional Allocational Factors
285.3035 Schedule C-5.1 Allocation Statistics
285.3040 Schedule C-5.2 Explanation of Changes in Allocation Procedures
285.3045 Account Analyses
285.3050 Schedule C-6 Income Tax
285.3055 Schedule C-6.1 Investment Tax and Job Development Credits
285.3060 Schedule C-7 Social and Service Club Membership Dues
285.3061 Schedule C-8 Charitable Contributions
285.3065 Schedule C-9 Demonstration and Selling, Advertising, and Miscellaneous Sales Expenses
285.3070 Schedule C-10 Civil, Political and Related Activities
285.3075 Schedule C-11 Rate Case Expense
285.3080 Schedule C-12 Payroll Costs
285.3085 Schedule C-12.1 Executive Compensation
285.3090 Schedule C-13 Summary of Affiliated Interest Transactions
285.3095 Schedule C-14 Computation of Gross Revenue Conversion Factor
285.3100 Schedule C-15 Comparative Income Statements for the Most Recent Five Fiscal or Calendar Years
285.3110 Schedule C-16.1 (L) Sales Statistics - Total Company Revenue (Electric and Gas)
285.3115 Schedule C-16.2 (L) Sales Statistics - Total Company Sales Volume (Electric and Gas)

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285.3120 Schedule C-16.3 (L) Sales Statistics - Jurisdictional Revenue (Electric and Gas)
285.3125 Schedule C-16.4 (L) Sales Statistics - Jurisdictional Sales Volume (Electric and Gas)
285.3130 Schedule C-17 Long- Run Marginal Cost Study(ies) (Telecommunications)

SUBPART I: RATE OF RETURN

Section
285.4000 Schedule D-1 Cost of Capital Summary
285.4001 Terms Used in Subpart I
285.4005 Schedule D-2 Cost of Short-Term Debt
285.4010 Schedule D-3 Embedded Cost of Long-Term Debt, including Notes
285.4015 Schedule D-4 Embedded Cost of Preferred Stock
285.4020 Schedule D-5 Comparative Financial Data
285.4025 Schedule D-6 Statement of Cash Flows

SUBPART J: RATES AND TARIFFS

Section
285.5000 Schedule E-1 Copy of Proposed Tariff Schedules
285.5005 Schedule E-2 Scored Copy of Proposed Tariff Schedules
285.5010 Schedule E-3 Narrative Rationale for Tariff Changes
285.5015 Schedule E-4 Jurisdictional Operating Revenue
285.5020 Schedule E-5 Billing Units
285.5025 Schedule E-6 Typical Bill Comparison

ILLUSTRATION A Working Papers Referencing System
EXHIBIT A Revenue and Financial Summaries (Repealed)
EXHIBIT B Rate Base (Repealed)
EXHIBIT C Operating Income (Repealed)
EXHIBIT D Rate of Return (Repealed)
EXHIBIT E Rates and Tariffs (Repealed)

AUTHORITY: Implementing Section 9-201 and authorized by Section 10-101 of the Public Utilities Act (Ill. Rev. Stat. 1989, ch. 111 2/3, pars. 9-201 and 10-101).

SOURCE: Adopted at 5 Ill. Reg. 9029, effective August 28, 1981; amended and codified at 7 Ill. Reg. 15562, effective December 20, 1983; emergency amendment at 10 Ill. Reg. 760, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 8980, effective May 25, 1986; amended at 14 Ill. Reg. 6000, effective May 1, 1990; amended at 15 Ill. Reg. 16050, effective November 1, 1991.

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Section 285.210 Material to be Filed

a) Capital expenditures

1) Most recent 5-year capital expenditures budget (3-year budget for telephone, water, sewer and gas rate filings) to be identified as Schedule S-1. Telecommunications carriers are not to include facility's costs in excess of the marginal costs supporting the competitive tariff filing when such facility is utilized solely to provide competitive services. Construction projects which are entirely for the benefit of nonregulated services are also not to be included. The utility shall provide the following information for each major construction project which constitutes 5 percent of the annual construction budget of the service for which the rate relief is requested:

A) date project started;

B) estimated completion date;

C) total estimated cost of construction by year exclusive and inclusive of Allowance for Funds Used During Construction (AFUDC) or interest during construction credit (IDC);

D) most recent available total costs incurred exclusive and inclusive of AFUDC or IDC.

2) For all other construction projects, the utility shall submit an aggregate of information requested in subsections (C) and (D) above and show the most recently available totals by year.

b) Financial forecast

1) A 5-year financial forecast (including a Current or Future Test Year) to be identified as Schedule S-2, providing for each forecast year:

A) operating income statement (both with and without nonregulated service revenue);

B) balance sheet;

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C) statement of changes in financial position (source and application of funds statement, both with and without nonregulated service effects).

2) The financial forecast should be supported by the underlying assumptions made in projecting the results of operations, such as:

A) load forecasts (electric);

B) subscriber and access line growth (telecommunications carriers, excluding nonregulated services);

C) mix of generation (electric);

D) mix of gas supply (gas);

E) employee growth (excluding that entirely due to nonregulated operations);

F) known labor cost changes (excluding that entirely due to nonregulated operations);

G) external financing requirements (See Section 9-230 of the Act);

H) other (please detail).

3) If the utility does not release financial forecasts to any outside party, it may elect to provide, in lieu of Schedule S-2, a 5-year projection of revenue requirements necessary to support the requested rate of return (to be identified as Schedule S-2.1). This projection of revenue requirements shall be in the form of an income statement and shall be supported by an explanation of the assumptions made in projecting the revenue requirements, such as:

A) load forecasts (electric);

B) subscriber and access line growth (telecommunications carriers, excluding that due entirely to nonregulated services);

C) mix of generation (electric);

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D) mix of fuel (gas);

E) employee growth (excluding that due entirely to nonregulated services);

F) known labor cost changes (excluding that due entirely to nonregulated services);

G) external financing requirements (See Section 9-230 of the Act);

H) rate base (excluding effects due entirely to nonregulated operations) Telecommunications carriers see Schedule B-1, subsection (b);

I) other (please detail).

4) The projection of revenue requirements shall be accompanied by the following balance sheet items for each forecast year (to be identified as Schedule S-2.2):

A) gross plant in service (excluding that entirely dedicated to nonregulated operations);

B) accumulated depreciation (excluding that entirely dedicated to nonregulated operations);

C) construction work in progress (excluding that entirely dedicated to nonregulated operations);

D) long-term debt (excluding that entirely dedicated to nonregulated operations);

E) preferred stock;

F) common equity;

G) deferred income taxes (excluding that entirely due to nonregulated operations);

H) unamortized deferred investment tax credits (excluding that entirely dedicated to nonregulated operations);

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I) other (please detail, excluding that entirely due to nonregulated operations).

5) In addition, the following elements of a statement of changes in financial position (source and application of funds) shall be provided and shall exclude that which is due entirely to nonregulated operations (to be identified as Schedule S-2.3):

A) change in cash balances;

B) retained earnings;

C) depreciation accruals;

D) external funding (long-term debt, preferred stock, common equity);

E) deferred income taxes;

F) unamortized deferred investment tax credit.

6) Three copies of the following information shall be delivered to the Staff at the time of the filing:

A) the most recent federal regulatory agency's (Federal Energy Regulatory Commission (FERC), Federal Communications Commission (FCC)) audit report;

B) prospectuses of most recent stock and/or bond offerings and future offerings as they become available;

C) most recent federal regulatory agency report (FERC Form 1, Form 2, FCC Form M);

D) annual report to shareholders and statistical supplements covering the most recent five years;

E) most recent annual report to the Commission.

(Source: Amended at 15 Ill. Reg. 16050 , effective November 1, 1991)

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NOTICE OF ADOPTED RULES

1) The Heading of the Part: Standards of Service for Local Exchange Telecommunications Carriers

2) Code Citation: 83 Ill. Adm. Code 730

3)

Section Numbers:	Adopted Action:	Section Numbers	Adopted Action:
730.100	New Section	730.440	New Section
730.105	New Section	730.445	New Section
730.200	New Section	730.450	New Section
730.300	New Section	730.500	New Section
730.305	New Section	730.505	New Section
730.310	New Section	730.510	New Section
730.315	New Section	730.515	New Section
730.320	New Section	730.520	New Section
730.325	New Section	730.525	New Section
730.330	New Section	730.530	New Section
730.335	New Section	730.535	New Section
730.400	New Section	730.540	New Section
730.405	New Section	730.600	New Section
730.410	New Section	730.605	New Section
730.415	New Section	730.700	New Section
730.420	New Section	730.705	New Section
730.425	New Section	730.710	New Section
730.430	New Section	730.715	New Section
730.435	New Section	730.720	New Section
		730.725	New Section

4) Statutory Authority: Implementing Section 8-301 and authorized by Section 10-101 of The Public Utilities Act (Ill. Rev. Stat. 1989, ch. 111 2/3, pars. 8-301).

5) Effective Date of Rules: November 1, 1991

6) Does this rulemaking contain an automatic repeal date? No.

7) Do these rules contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: October 17, 1991

9) Notice of Proposal Published in Illinois Register:

February 8, 1991, at 15 Ill. Reg. 1627.

10) Has JCAR issued a Statement of Objections to these rules? No.

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11) Difference(s) between proposal and final version:

Section 730.105: Definition added for "interoffice trunk."

Section 730.105: Definition of "network interface" modified.

Section 730.325(c): "auxiliary" has been deleted. "Generator" added.

Section 730.500(b): "periodically" replaced with "every six months."

Section 730.535(d): Last sentence added.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes required.

13) Will these rules replace emergency rules currently in effect? No.

14) Are there any amendments pending on this Part? No.

15) Summary and Purpose of Rules: These rules update the regulation of the local exchange telecommunications carriers by reflecting new technology and terminology.

16) Information and questions regarding these adopted rules shall be directed to:

Conrad Rubinkowski
Illinois Commerce Commission
527 East Capitol Avenue
P.O. Box 19280
Springfield, IL 62794-9280
(217)785-8439

The full text of the Adopted Rules begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED RULES

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER f: TELEPHONE UTILITIES

PART 730
STANDARDS OF SERVICE FOR LOCAL EXCHANGE TELECOMMUNICATIONS CARRIERS

SUBPART A: GENERAL

Section
730.100 Application of Part
730.105 Definitions

SUBPART B: RECORDS AND REPORTS

Section
730.200 Preservation of Records

SUBPART C: ENGINEERING

Section
730.300 Construction
730.305 Maintenance of Plant and Equipment
730.310 Grade of Service
730.315 Interoffice Trunks
730.320 Network Service
730.325 Emergency Operation
730.330 Construction Work Near Utility Facilities
730.335 Network Interface

SUBPART D: CALL DATA, INSPECTIONS, AND TESTS

Section
730.400 Provisions for Testing
730.405 Call Data Records
730.410 Call Data Reading Interval
730.415 Call Data Recording Equipment and Test Facilities
730.420 Call Data Recording Equipment Requirements
730.425 Initial Test
730.430 As-Found Tests
730.435 Routine Tests
730.440 Request Tests
730.445 Referee Tests
730.450 Test Records

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SUBPART E: STANDARDS OF QUALITY OF SERVICE

Section
730.500 Adequacy of Service
730.505 Operator Handled Calls
730.510 Answering Time
730.515 Central Office Administrative Requirements
730.520 Interoffice Trunks
730.525 Transmission Requirements
730.530 Coin Telephone Service
730.535 Interruptions of Service
730.540 Installation Requests

SUBPART F: SAFETY

Section
730.600 Safety Program
730.605 Accident Reports

SUBPART G: BOUNDARIES

Section
730.700 Map Requirements
730.705 Map Specifications
730.710 Application for Certificate
730.715 Service Outside Exchange Boundaries
730.720 Map Maintenance
730.725 District Boundaries

AUTHORITY: Implementing Section 8-301 and authorized by Section 10-101 of The Public Utilities Act (Ill. Rev. Stat. 1989, ch. 111 2/3, pars. 8-301 and 10-101).

SOURCE: Filed November 6, 1970; amended at 7 Ill. Reg. 2147, effective February 4, 1983; codified at 8 Ill. Reg. 12191; Part repealed and new Part adopted at 15 Ill. Reg. 16060 , effective November 1, 1991.

SUBPART A: GENERAL

Section 730.100 Application of Part

This Part shall apply to all local exchange carriers providing noncompetitive telecommunications services as defined in Section 13-210 of the Universal Telephone Service Protection Law of 1985 ("Law") (Ill. Rev. Stat. 1989, ch. 111 2/3, par. 13-210). A local exchange carrier not responsible for the provision and maintenance

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of a specific service, as covered by this Part, shall not be subject to the rules that apply to such service.

Section 730.105 Definitions

As used in this Part, the following terms shall have these definitions:

"Access line" means the connecting facility between a customer's premises network interface device and the local exchange carrier's facility that provides access to the switching network for local exchange and inter-exchange telecommunications service. This includes the network interface or equivalent, the outside plant facilities, the office frame and frame wiring and the office line termination.

"Analog" means a continuous electrical signal that carries information by means of variations in its amplitude or frequency. The electrical signal being transmitted varies in direct relation to the signal generated by the source.

"Application" means a verbal or written request for a telecommunications service.

"Assistance calls" means calls in which the operator provides assistance or instructions to the customer. Examples: rate quotes, credit requests, trouble reports, dial assistance, and dialing instructions.

"Busy hour" means the two consecutive half-hours each day during which the greatest volume of traffic is handled in the central office.

"Busy season" means the two consecutive weeks during which the greatest volume of traffic is handled in the central office.

"Busy tone" means an audible signal indicating a call cannot be completed because the called access line is busy. The tone is applied 60 times per minute.

"Call data" means the recorded information necessary to measure and bill each call.

"Calls" means customers' messages attempted.

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"Central office" means the site where switching equipment is located. A local central office, also called an end office, is the switching office where individual subscribers' access lines appear. It houses the equipment that receives calls transmitted on the local loop and routes the call over the switched network either directly to the person called, if the call is placed to a location served by the same local central office, or to another central office, if the call is placed to a customer served by a different central office. Each central office serves local loops in an exclusive geographic area.

"Certificate of Service Authority" means the authorization by the Illinois Commerce Commission ("Commission") granting a local exchange carrier the right to provide telecommunications services within a specified geographical area.

"Channel" means a single path between two or more points provided for transport of user information and/or signaling for a communications service.

"Connecting company" means a corporation, association, partnership or individual (other than a company affiliated interest) that owns or operates central offices or similar switching facilities and interchanges traffic directly or indirectly with the local exchange carriers.

"Customer" means any person, building owner, firm, partnership, corporation, municipality, cooperative, organization, governmental agency, etc., provided with local exchange carrier telecommunications services as defined in Section 13-204 of the Law (Ill. Rev. Stat. 1989, ch. 111 2/3, par. 13-204). "Customer" may also be referred to as "end user."

"Customer trouble report" means any verbal or written report relating to difficulty or dissatisfaction with the operation of regulated telecommunications services. One report shall be counted for a verbal or written report received. When several items are reported by one customer at the same time, and the group of troubles so reported is clearly related to a common cause, they are counted as one report.

"dBrnc" means a measure of the interfering effect of noise.

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"Decibel" or "dB" means a standard unit used for expressing a transmission signal gain or loss.

"Dial tone" means an audible tone sent from an automatic switching system to a customer to indicate the equipment is ready to receive dial signals.

"Dial tone first" means coin telephone service that allows a customer to obtain a dial tone before money is deposited into the coin telephone.

"Digital" means a signal which carries information by discrete changes in its parameters. For digital transmission of analog information, the incoming voice, data, or video signals are sampled periodically and digitally coded for transport through the network.

"Direct Distance Dialing" or "DDD" means the automatic establishment of toll calls in response to signals from the dialing device of the originating customer.

"Distributing system" means that part of the outside cable plant connecting the central office to the customer network interface at the customer's premises.

"District" means an area of an exchange which is the basis for the determination of usage rates within Market Service Areas (MSA's) (see Section 13-208 of the Law) and of foreign district service and foreign central office service mileage measurement in MSA's.

"Exchange area" means a unit established by a local exchange carrier and approved by the Commission for the administration of telecommunications service in a specified geographical area. It may consist of one or more central offices together with associated plant used in furnishing telecommunications services in that area. Exchange areas are identified on exchange boundary maps on file with the Commission.

"Foreign exchange service" means a classification of exchange services whereby customers may be provided a telecommunications service from a local exchange other than the one from which they would normally be served.

"Information call" means a call in which a customer will be connected to an information bureau by dialing the proper service code or number and will be given the

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directory number of the customer whom he desires to call, provided that the customer's number to be called is or will be published or listed in the information records.

"Intercept service" means a service arrangement provided by the local exchange carrier whereby calls placed to a disconnected or discontinued telephone number are intercepted and the calling party given such information as the called telephone number has been disconnected, discontinued, or changed to another number, or that calls are being received by another telecommunications line.

"Interoffice trunk" means a communication path between two central offices.

"Line" means the conductor or conductors, supporting circuit equipment, and structures extending between customer network interfaces and central offices, or between central offices, whether they be in the same or different communities.

"Local exchange carrier" means a telecommunications carrier certificated by the Commission to provide intra-exchange and/or inter-exchange service within the same MSA.

"Local exchange service" means the same as "local exchange telecommunications service" as defined in Section 13-204 of the Law.

"Local exchange service area" means the area where telecommunications service is furnished to customers under a specific schedule of rates and without toll charges. A local exchange service area may include one or more exchange areas or portions of exchange areas.

"Local message" means a completed call between customers served by the same central office or between customers served by two different central offices as defined by and in accordance with tariffs.

"Local loop" means a channel between a customer's network interface and its serving central office. The most common form of loop, a pair of wires, is also called a line.

"Local usage charge" means the charge that applies to a call defined as a "local message".

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"Map" means a drawing showing a geographical area in which a local exchange carrier furnishes telecommunications services.

"Message" means a completed customer call.

"Network" means the aggregate of transmission systems and switching systems. It is an arrangement of channels, such as loops, trunks, and associated switching facilities.

"Network interface" means the point of termination on the customer premises at which the local exchange carrier's responsibility for the provision and maintenance of network channel or line service ends. The network interface is part of the network and the order of appearance of central office lines on it is determined solely by the local exchange carrier.

"Network service" means a telecommunications service that links two or more discrete channels for the purpose of creating a point-to-point connection.

"Noise to Ground (Ng)" means the noise measured between ground and the tip and ring conductors. The customer does not hear the noise to ground, but the amount of noise to ground affects the amount of noise metallic which a customer hears.

"Noise Metallic (Nm)" means the noise measured across the tip and ring of a circuit and is the noise that the customer hears.

"Operator number identification" means a service provided by an intercept operator on calls that originate from a telecommunications office that is not equipped for automatic identification of the called number.

"Outside plant" means the telecommunications equipment and facilities installed on, along, over, or under streets, alleys, highways, or on private rights-of-way between the central office and customer locations or between central offices.

"Premises" means the space occupied in a single local exchange area by a customer in a building or in adjoining buildings not separated by a public thoroughfare or in a

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public office building where the customer's office space is all contiguous.

"Public telephone service" means one-party access line service equipped with a coin collecting and/or calling-card only telephone instrument installed for the use of the general public in locations where the general public has access to these telephones.

"Reporting entity" means a unit established by the local exchange carrier for the purpose of administering the customer service operations established by this Part.

"Telecommunications service" means all regulated communication service provided by local exchange carriers.

"Toll call" means a completed message between customers in different exchanges for which message toll rates are applicable.

"Traffic" means call volume based on number and duration of messages.

"Transmission" means the process of sending information from one point to another.

"Trunk" means a transmission path between switching units, switching centers, and toll centers.

"Working line" means an active access line or channel.

SUBPART B: RECORDS AND REPORTS

Section 730.200 Preservation of Records

All records required by this Part shall be preserved in accordance with provisions of 83 Ill. Adm. Code 705.

SUBPART C: ENGINEERING

Section 730.300 Construction

a) For projects in which construction starts after January 1, 1992, each local exchange carrier shall place a minimum of 80% of its constructed cable facilities (measured in sheath miles) underground.

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b) The telecommunications outside plant shall be designed, constructed, maintained, and operated in accordance with the provisions of 83 Ill. Adm. Code 305 and 83 Ill. Adm. Code 265.

Section 730.305 Maintenance of Plant and Equipment

Each local exchange carrier shall adopt a maintenance program based on the minimum standards set forth in this Part.

Section 730.310 Grade of Service

No local exchange carrier shall connect more than one customer per access line.

Section 730.315 Interoffice Trunks

Interoffice trunks or toll circuits shall be metallic, fiber optic, or microwave.

Section 730.320 Network Service

Local exchange carriers shall retain control of the network and not provide service to lines that introduce energy into the network at levels or frequencies that will interfere with other users.

Section 730.325 Emergency Operation

a) Each local exchange carrier shall make provisions to meet emergencies resulting from failures of commercial or power service, sudden and prolonged increases in traffic, illness of personnel, fire, storm, or other natural disasters. Each local exchange carrier shall inform employees as to procedures to be followed in the event of emergency in order to prevent or minimize interruption or impairment of telecommunications service.

b) Each existing central office shall contain a reserve battery supply of 5 hours where emergency power generators are not installed and 3 hours where they are in place. New central offices or central offices being replaced shall contain a reserve battery supply of 8 hours where emergency power generators are not installed and 5 hours where they are in place. In central offices without installed emergency power generators, a mobile power unit shall be available that can be delivered and connected within 5 hours.

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c) In new central offices exceeding 3,000 working lines, a permanent power generator shall be installed. For existing central offices having over 3,000 lines, permanent power generators shall be installed at the time of office replacement or battery replacement.

d) Emergency generator units shall have available at least a 12 hour fuel supply.

e) Emergency generator units shall be tested under load once a month. A record of the test results shall be maintained.

Section 730.330 Construction Work Near Utility Facilities

a) A local exchange carrier, upon receipt of written or verbal notification of work that may affect its facilities, will be responsible for investigating and deciding what action, if any, must be taken to protect any underground service to the public in accordance with 83 Ill. Adm. Code 265.

b) The local exchange carrier shall have the responsibility to protect, remove, alter, or reconstruct its facilities, provided that nothing in this Section shall be deemed to affect any right the local exchange carrier may have to require advance payment or adequate assurance of payment of the cost thereof to the local exchange carrier by the property owner or contractor.

c) The local exchange carrier may, in order to protect its interest, require that the owner or contractor perform certain work (such as providing ducts, conduit space, or working space) upon that part of the service piping or wiring on, or being removed from, the property on which the work is being performed. This Section is not intended to affect the responsibility of the contractor or owner, or the liability or legal rights of any party.

d) Coordination of all construction and maintenance work between local exchange carriers and other public utilities shall be in accordance with 83 Ill. Adm. Code 265.

Section 730.335 Network Interface

a) The network interface for a residential customer shall be located in or on a structure owned, rented, or leased by the customer, in which the customer resides.

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b) The network interface for business customers shall be located in or on structures owned, rented, or leased by the customer, in which the customer is conducting business.

c) Network interfaces shall not be located on fence posts, utility poles, or cable pedestals.

d) Network interfaces for temporary services or serving trailers, boats, or customer-owned pay telephones shall be located on structures provided by the customer or on a utility pole.

SUBPART D: CALL DATA, INSPECTIONS, AND TESTS

Section 730.400 Provisions for Testing

Each local exchange carrier shall provide, or have access to, test facilities that will enable it to determine the operating and transmission capabilities of channel and switching equipment, either for routine maintenance or for fault location.

Section 730.405 Call Data Records

Recording devices, when used in connection with telecommunications service to collect call data from which the customer's bills are prepared, shall show:

a) Called customer's telephone number (either 7 or 10 digits);

b) Calling customer's telephone number (7 digits);

c) Date;

d) Time of day; and

e) Duration of message.

Section 730.410 Call Data Reading Interval

Call data shall be read at intervals to correspond to the customer billing period.

Section 730.415 Call Data Recording Equipment and Test Facilities

a) Where local exchange billing is based on the number and/or duration of messages, each local exchange carrier

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shall provide the facilities and equipment for testing recording equipment.

b) Any local exchange carrier may be exempted from the requirement by petitioning for a waiver from the Commission (see 83 Ill. Adm. Code 200). The Commission shall grant the waiver if the local exchange carrier has made arrangements to have its recording equipment tested by another local exchange carrier or by an organization engaged in the testing of metering equipment.

Section 730.420 Call Data Recording Equipment Requirements

All recording devices used to record data and prepare customers' bills shall be read and interpreted and shall not involve approximations.

Section 730.425 Initial Test

Either the manufacturer, the local exchange carrier, or an organization equipped for such testing shall test each recording device for accuracy when the device is released for service.

Section 730.430 As-Found Tests

All call data recording devices tested in accordance with this Part for either routine maintenance or a complaint shall be tested in their normal operating location and wiring mode prior to removal or adjustment.

Section 730.435 Routine Tests

Each local exchange carrier shall have written procedures for the periodic testing and maintenance of recording systems to assure the integrity of its operation.

Section 730.440 Request Tests

Upon request of any customer, the local exchange carrier shall make a test of any call data recording device related to billing, provided such a request is not made more frequently than once every 6 months.

Section 730.445 Referee Tests

Any customer, by written request to the Public Utilities Division of the Commission, may have a test of any recording device related to its billing, conducted by the local exchange carrier in the

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presence of a representative of the Commission, provided such request is not made more frequently than once every 6 months.

Section 730.450 Test Records

A record shall be made of all recording equipment tests and adjustments with supporting data to allow checking of the results. Such record shall include recording system identification, type, date and kind of test, and the results of each test.

SUBPART E: STANDARDS OF QUALITY OF SERVICE

Section 730.500 Adequacy of Service

a) Traffic studies shall be made and records maintained to the extent and frequency necessary to determine that sufficient equipment and an adequate operating force are provided to meet the minimum standards of service set forth in Sections 730.520 and 730.525.

b) Each local exchange carrier shall employ adequate procedures for assignment of facilities. The assignment record shall be kept up to date and checked every six months to determine if adjustments are necessary to maintain proper balance in all trunk and equipment groups.

c) Local service furnished by pair gain devices at a given exchange shall provide service equivalent to that furnished other subscribers at that exchange served by means of normal physical loops.

d) Local exchange carrier employees shall be instructed to comply with the provisions of all applicable Federal and state laws in maintaining secrecy of communications (see 47 U.S.C. Sec. 605 and Ill. Rev. Stat. 1989, ch. 38, pars. 14-1 to 14-9).

Section 730.505 Operator Handled Calls

When an operator is notified by a customer that he has reached a wrong number, has been cut off, or has experienced poor transmission, the operator shall arrange for credit.

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Section 730.510 Answering Time

a) Operator offices shall be staffed so that the average speed of answer shall not exceed seven seconds for the following types of calls:

1) Toll and assistance;

2) Information;

3) Intercept; and

4) Operator number identification.

b) Whenever the average speed of answer exceeds seven seconds on a monthly basis, the company shall take corrective action.

Section 730.515 Central Office Administrative Requirements

a) Central office capacity and equipment shall be provided to maintain a dial tone within three seconds on 95% of calls during the busy hour.

b) Each central office shall be equipped with alarms to indicate failures or improper functions.

c) All central offices with 400 or more lines shall be provided with intercept equipment or equivalent procedures.

d) Either operator or mechanized intercept service shall be provided for nonworking or changed terminating numbers until the numbers are assigned or reassigned.

e) All remote switching units are to be equipped to continue to perform basic internal switching functions if a base unit connection is interrupted.

Section 730.520 Interoffice Trunks

a) Local interoffice and intraoffice trunks shall be engineered so that at least 98% of telephone calls placed shall not encounter an all trunks busy condition. When the completion rate falls below 96% for three consecutive months, corrective action shall be initiated.

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b) The trunk and related switching components in the inter-toll network shall be engineered and maintained so that 98% of the properly dialed DDD incoming calls, during the average busy season, shall receive ringing signal, busy tone, or intercept on the first attempt.

c) Interoffice toll access trunks shall be engineered for completion of 99% of calls without an all trunks busy condition. Whenever the completion rate falls below 97% for three consecutive months, corrective action shall be initiated.

Section 730.525 Transmission Requirements

Local exchange carriers shall furnish and maintain plant, equipment, and facilities to meet the following minimum transmission standards. The transmission standards set forth in this Section are based upon measurements from the network interface at the customer premises through the local loop to a nominal 48-volt central office and measured at a frequency of 1004 hertz.

a) Local line loops shall have a loop resistance not exceeding the operating design of the associated central office equipment. Longer loops may be used by deployment of loop range extenders.

b) All loops are to be maintained to a minimum of 40,000 ohms insulation resistance.

c) Transmission loss of local loop shall be engineered not to exceed 10 dB when measured in accordance with subsection (a). The local loop transmission loss shall be adjusted to 10 dB or less if it exceeds 10 dB.

d) Transmission loss in analog interoffice trunks shall be engineered not to exceed 7 dB. If the loss exceeds expected design loss by + or - 3.5 dB, it shall be corrected to within 1 dB of the design loss.

e) Transmission loss on analog toll terminating trunks shall be engineered not to exceed 4 dB. If the loss exceeds expected design loss by + or - 3.5 dB, it shall be corrected to within 1 dB of the design loss.

f) Transmission loss on all digital interoffice trunks shall be engineered and maintained not to exceed 6 dB.

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g) Loop current shall be maintained at 20 milliamperes or greater.

h) Power influence (Noise to Ground) shall not exceed 90 dBrnc.

i) Circuit noise (Noise Metallic) shall not exceed 30 dBrnc.

Section 730.530 Coin Telephone Service

a) In each exchange, at least one public coin telephone will be available to the public on a 24 hour basis. This coin telephone shall be accessible to the public, be lighted at night, and be provided with a directory.

b) All coin telephones shall be equipped to operate on a "dial tone first" basis.

c) Each coin telephone shall have a notice attached to it informing the customer of the name of the long distance company and alternate operator service provider providing service from it.

Section 730.535 Interruptions of Service

a) On a monthly basis, the local exchange carrier shall clear 95% of all out-of-service troubles up to the customer network interface within 24 hours of the time such troubles are reported, except when such service interruptions are caused by emergency situations or natural disasters affecting a large number of customers.

b) Required toll-free numbers

1) Each local exchange carrier shall provide to its customers the telephone number to call for repair service. Calls to repair service shall be available without charge. When trouble is apparently located in a connecting company, this trouble report shall be immediately referred to the connecting company.

2) Each local exchange carrier shall provide its business office telephone number to its customers. Calls to the business office shall be available without charge.

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c) Each local exchange carrier shall inform the Commission verbally, followed by a written report within 30 days, of any complete central office failure or isolation of an exchange due to toll circuit failure when the failure exceeds one minute. This record shall show the time, duration, extent, and cause of the failure, and shall be retained for a period of one year.

d) Whenever it is necessary to interrupt customer service for the purpose of working on the distribution system or central office equipment, the work should be completed with minimal customer impact. Those who will be most seriously affected by such interruption shall be notified in advance. Any adjustments for interrupted service shall be made pursuant to 83 Ill. Adm. Code 735.70(e).

e) Repair service shall be available at all times for reporting service out of order. Arrangements shall be made to receive customer trouble reports 24 hours daily and to clear out of service trouble at all hours for customers who express an emergency need for service as long as clearing such trouble is consistent with the personal safety of local exchange carrier personnel. An emergency shall consist of an immediate threat to life, limb, or property.

f) Each local exchange carrier shall maintain a record of trouble reports made by its customers. This record shall include appropriate identification of the customer or service affected, the time, date and nature of the report, the action taken to clear trouble or satisfy the complaint, and the date and time of trouble clearance or other disposition. The company shall retain these records for a period of one year from the date of the report.

g) The local exchange carrier shall maintain service so that the average rate of all customer network trouble reports is no greater than 6 reports per 100 access lines per month.

Section 730.540 Installation Requests

a) The local exchange carrier shall complete 90% of its regular service installations within five working days after the receipt of the application, unless a later date is requested by the applicant.

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b) Installation intervals beyond five working days may be appropriate in those instances where installation forces are busy restoring services due to interruption caused by emergency situations, where materials cannot be obtained through no fault of the company, and during unusual rush periods caused by weather or by work stoppages.

c) On a company basis, 92% of the local exchange carrier's regular service order installation commitments shall be met, excepting customer-caused delays or natural disasters. When, for company reasons, the service installation date cannot be made, the applicant will be notified, where possible, of the delay, the reason for delay, and the approximate date when the service installation will take place.

SUBPART F: SAFETY

Section 730.600 Safety Program

Each local exchange carrier shall adopt and implement a safety program, fitted to the size and type of its operations. At a minimum, the safety program shall:

a) Require employees to use suitable tools and equipment in order that they may perform their work in a safe manner;

b) Instruct employees in safe methods of performing their work; and

c) Instruct employees who, in the course of their work, are subject to the hazards of electric shock, asphyxiation, or drowning, in accepted methods of cardiopulmonary resuscitation.

Section 730.605 Accident Reports

Accidents shall be reported in accordance with 83 Ill. Adm. Code 220.

SUBPART G: BOUNDARIES

Section 730.700 Map Requirements

Each local exchange carrier shall have on file with the Commission an exchange area boundary map for each of its exchanges within the State of Illinois.

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Section 730.705 Map Specifications

a) A local exchange carrier boundary map filed after the effective date of this Part shall be in accordance with a certificate of service authority. Any exchange boundary map revision which changes the boundary of the exchange shall be by petition (see 83 Ill. Adm. Code 200). A new certificate of service authority will be issued for any exchange in which area is to be added or withdrawn.

b) Each map shall have a scale of one inch to the mile and show the location of highways, railroads, waterways, section lines, and geographical township and range lines. The maps shall contain detail as shown on county maps available from the Illinois Department of Transportation.

c) Each map shall show the boundary lines of the area the local exchange carrier holds itself out to serve in connection with the exchange. Exchange boundary lines shall be located by appropriate measurement to an identifiable location if that portion of the boundary line is not otherwise located on section lines, waterways, railroads, or roads.

d) The name of the local exchange carrier filing the map shall be placed at the left side of the top of the map, and the name of the exchange followed by the words "(Name of carrier) Exchange Area Boundary Map" shall be placed at the right side of the top of the map. The first filing of a map shall be designated by the word "Original" placed just below the words "(Name of carrier) Exchange Area Boundary Map". If the map is subsequently refiled, the words "First Revision" shall be substituted for the word "Original," and on each subsequent refiling the next higher number shall be substituted for the number preceding the word "Revision" on the last map filed. The docket number and the date of the order granting a Certificate of Service Authority shall also appear at the right side near the top of the map.

Section 730.710 Application for Certificate

Each application for a Certificate of Service Authority shall be accompanied by the appropriate exchange area boundary map(s) as exhibit(s) attached to the petition. Each local exchange carrier filing for a certificate covering an original or revised exchange area shall submit a verified statement that the original or revised

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boundary lines have been agreed to by any other local exchange carrier adjoining the boundary line to be established or changed.

Section 730.715 Service Outside Exchange Boundaries

a) No telecommunications service will be established outside the exchange boundary of the exchange that normally would provide service except on an emergency temporary basis or after receiving a Certificate of Service Authority.

b) In cases where local exchange telecommunications service is provided outside the exchange boundary of the normal serving exchange without authorization of the Commission (other than foreign exchange service) and the location of the service is in the exchange of another local exchange carrier certificated by the Commission, the service shall be discontinued as soon as facilities are made available from the exchange in which the service is located. The customer whose service is affected by this Section shall be given at least 90 days notice prior to the time service can be provided from the proper telephone exchange.

Section 730.720 Map Maintenance

Each local exchange carrier shall maintain and make available for public inspection a map of each exchange served.

Section 730.725 District Boundaries

When it is necessary to revise district boundaries, customers affected by such change shall be given notice in accordance with 83 Ill. Adm. Code 735.180(k), and those objecting to the change may file a complaint with the Commission in accordance with 83 Ill. Adm. Code 735.200. The local exchange carriers, as a result of such complaints, shall provide the Commission with data supporting district boundary changes.

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NOTICE OF ADOPTED REPEALER

1) The Heading of the Part: Standards of Service for Telephone Utilities (General Order 197)

2) Code Citation: 83 Ill. Adm. Code 730

3)

Section Numbers:	Adopted Action:	Section Numbers	Adopted Action:
730.101	Repealed	730.509	Repealed
730.102	Repealed	730.510	Repealed
730.103	Repealed	730.511	Repealed
730.201	Repealed	730.601	Repealed
730.202	Repealed	730.602	Repealed
730.203	Repealed	730.603	Repealed
730.401	Repealed	730.604	Repealed
730.402	Repealed	730.605	Repealed
730.403	Repealed	730.606	Repealed
730.404	Repealed	730.607	Repealed
730.405	Repealed	730.608	Repealed
730.406	Repealed	730.609	Repealed
730.407	Repealed	730.610	Repealed
730.408	Repealed	730.611	Repealed
730.409	Repealed	730.701	Repealed
730.501	Repealed	730.702	Repealed
730.502	Repealed	730.703	Repealed
730.503	Repealed	730.801	Repealed
730.504	Repealed	730.802	Repealed
730.505	Repealed	730.803	Repealed
730.506	Repealed	730.804	Repealed
730.507	Repealed	730.805	Repealed
730.508	Repealed		

4) Statutory Authority: Implementing Section 8-301 and authorized by Section 10-101 of the Public Utilities Act (Ill. Rev. Stat. 1989, ch. 111 2/3, pars. 8-301 and 10-101).

5) Effective Date of Repealer: November 1, 1991

6) Does this rulemaking contain an automatic repeal date? No.

7) Does this repealer contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: October 17, 1991

9) Notice of Proposal Published in Illinois Register:

February 8, 1991, at 15 Ill. Reg. 1650.

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NOTICE OF ADOPTED REPEALER

10) Has JCAR issued a Statement of Objections to this repealer? No.

11) Difference(s) between proposal and final version: None.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? None required.

13) Will this repealer replace an emergency repealer currently in effect? No.

14) Are there any amendments pending on this Part? No.

15) Summary and Purpose of Repealer: This Part is being replaced by new rules adopted elsewhere in this issue of the Illinois Register. These new rules will update the regulation of the telecommunications industry to reflect current terminology and technology.

16) Information and questions regarding this adopted repealer shall be directed to:

Conrad Rubinkowski
Illinois Commerce Commission
527 East Capitol Avenue
P.O. Box 19280
Springfield, IL 62794-9280
(217)785-8439

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Toxic Substances Disclosure to Employees

2) Code citation: 56 Ill. Adm. Code 205

3) Section numbers: 205 Table A Adopted action: Amendment

4) Statutory authority: Implementing and authorized by the Toxic Substances Disclosure to Employees Act (Ill. Rev. Stat., 1989, ch. 48, pars. 1401 et seq.)

5) Effective Date of Amendment: October 28, 1991

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: October 28, 1991

9) Notice of Proposal Published in Illinois Register:

April 5, 1991, 15 Ill. Reg. 4872

10) Has JCAR issued a Statement of Objections to this rule? No

11) Difference between proposal and final version: In Section 205, Table A, the entry "soots, tars, and mineral oils" is being broken down into two separate entries. These are "soots and tars," and "untreated and mildly treated mineral oils." Additionally, the Source is being corrected to read "3b."

The main Source Note and the Source note at the end of Table A are being corrected as instructed by the Illinois Administrative Code Unit.

12) Have all the changes agreed upon by JCAR and the agency been made as indicated in the agreement letter issued by JCAR? No agreements were made.

13) Will this rule replace an Emergency Rule currently in Effect? No

14) Are there any amendments pending on this Part? No

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF ADOPTED AMENDMENTS

15) Summary and Purpose of Rule: The Toxic Substances List is derived from five separate sources, listed at the end of Table A. The Toxic Substances Disclosure to Employees Act requires an annual review and revision to incorporate the changes adopted by the source lists. Also, corrections in nomenclature and typography have been made. This has resulted in the addition of new chemical names, the deletion of chemical names, and several changes in source footnote designations.

16) Information and questions regarding this adopted rule shall be directed to:

Lenore Killam
#1 West Old State Capitol Plaza, Room 300
Springfield, IL 62701-1217
217/782-4102

The full text of the Adopted Rule is as follows:

DEPARTMENT OF LABOR

NOTICE OF ADOPTED AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER I: DEPARTMENT OF LABOR
SUBCHAPTER b: REGULATION OF WORKING CONDITIONS

PART 205
TOXIC SUBSTANCES DISCLOSURE TO EMPLOYEES

SUBPART B: REQUIREMENTS

Section
205.20 General Purpose

SUBPART B: REQUIREMENTS

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205 Table A Toxic Substances List

AUTHORITY: Implementing and authorized by the Toxic Substances Dislosure to Employees Act (Ill. Rev. Stat. 1989, ch. 48, pars. 1401 et seq.)

SOURCE: Emergency rules adopted at 8 Ill. Reg. 3042, efective March 1, 1984, for a maximum of 150 days; adopted at 8 Ill. Reg. 7838, effective May 23, 1984; emergency amendments at 8 Ill. Reg. 15628, effective August 14, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7751, effective October 29, 1984; amended at 11 Ill. Reg. 10247, efffective May 18, 1987, amended at 11 Ill. Reg. 14717, effective August 24, 1987; amended at 15 Ill. Reg. 16084, effective October 28, 1991.

Section 205.TABLE A Toxic Substances List

Name	Note**1	Source**2
Acenaphthene		2
Acetaldehyde		1,4
Acetic Acid	1	1,4
Acetic anhydride		1,4
Acetone		1,4
Acetone cyanohydrin		2
Acetonitrile		1,4
Acetyl bromide		2
Acetyl chloride		2
2-Acetylaminofluorene		1,3a
Acetylene		2,4
Acetylene dichloride		1,4
Acetylene tetrabromide		1,4
Acetylene tetrachloride		2
Acetylsalicylic acid		1,4
Acrolein		1,4
Acrylamide		1,4
Acrylic acid		1,4
Acrylonitrile		1,3a,3b,4
Actinomycin(s)		3b
Adriamycin		3a,3b
Aflatoxin(s)		3a,3b
Aldicarb		2
Aldrin		1,4
Allyl alcohol		1,4
Allyl chloride		1,4
Allyl glycidyl ether	10	1,4
Allyl propyl disulfide		1,4
Alpha-Alumina	35	1,4
Aluminum	3	1,2,4
Aluminum, alkyls		1,5,4
Aluminum oxide		4
Aluminum phosphide		2
Aluminum pyro powders		1,5,4
Aluminum, soluble salts	2	1,2,4
1-Amino-2-methylanthraquinone		3a
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadizole		3b
2-Aminoanthraquinone		3a
o-Aminoazotoluene		3a,3b
4-Aminodiphenyl		1,3a,3b,4

1**See Note at end of this list
2**See Source at end of this list

2-Aminoethanol		1,4
2-Aminopyridine		1,4
4-Aminopyridine		2
Amitrole		1,3a,3b,4
Ammonia		1,4
Ammonium bisulfite		2
Ammonium carbamate		5
Ammonium chloride vapor		1,4
Ammonium fluoborate		2
Ammonium hydroxide	24	2
Ammonium oxalate		2
Ammonium perflorooctanoate		4
Ammonium silicofluoride		2
Ammonium sulfamate (Ammate)		1,4
Ammonium sulfide		2
Ammonium sulfite		2
Ammonium thiocyanate		2
Ammonium thiosulfate		2
Amyl acetate, all isomers		1,2,4
Analgesic mixtures containing phenacetin		3a
Aniline		1, 4
o-Anisidine		1,3a,4
o-Anisidine hydrochloride		3a
p-Anisidine		1,4
Antimony	3	1,4
Antimony compounds	4	1,4
ANTU (alpha naphthyl thiourea)		1,4
Aramite (2 -(tert)-Butylpheno-xyisopropyl-2- chloroethylsulfite)		3a
Argon		4
Arsenic and arsenic compounds	27	1,3a,3b,4
Arsenic compounds (organic)		1,4
Arsine		1,4
Asbestos	5	1,3a,3b,4
Asphalt (petroleum) vapor	6	2,4
Atrazine		1,2,4
Auramine		3a,3b
Azaserine		3b
Azathioprine		3a
Azinphos-methyl		1,4
Barium, soluble compounds	2	1,4
Barium sulfate		1,4
Benomyl		1,4
Benz (a) anthracene		3a,3b
Benzene		1,3a,3b,4
Benzidine (and its salts)		1,3a,3b,4
Benzo(a) pyrene		1,3a,3b,4
Benzo(b) fluoranthene		3a,3b
Benzo(j) fluoranthene		3a

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Benzo(k) fluoranthene		3a
Benzoic acid	7	2
Benzonitrile		2
p-Benzoquinone		1,4
Benzotrichloride		3a,3b
Benzoyl chloride		2
Benzoyl peroxide		1,4
Benzyl chloride		1,4
Benzyl violet 4B		3b
Beryllium and Beryllium compounds		1,3a,3b,4
Biphenyl		1,4
Bis(chlorethyl) nitrosourea		3a,3b
Bis(chloromethyl)ether(BCME)		1,3a,3b,4
N,N-Bis(2-chloroethyl)-2-naphthylamine		3a,3b
1,1-Bis-(p-chlorophenyl)- 2,2,2-trichloroethanol (dicofol)		5
Bis(dimethylthiocarbamoyl) disulfide		2
Bismuth telluride		1,4
Borates, tetra, sodium salts	8	1,2,4
Boron oxide	8	1,4
Boron tribromide		1,4
Boron trifluoride		1,4
Bromacil		1,4
Bromine		1,4
Bromine pentafluoride		1,4
Bromodichloromethane		4 5
Bromoform		1,4
Bromotrifluoromethane (FC-13B1)		5
1,3-Butadiene		1,3a,4
Butane		1,4
1,4 Butanediol dimethylsulfonate (myleran)		3a
Butanethiol		1,4
2-Butanone		1,4
2-Butoxy ethanol		1,4
n-Butyl acetate ~~(n-butyl,-acetate)~~		1,4
sec-Butyl acetate		1,4
tert-Butyl acetate		1,4
Butyl acrylate		1,2,4
n-Butyl alcohol		1,4
sec-Butyl alcohol		1,4
tert-Butyl alcohol		1,4
4-tert-Butyl-2-chlorophenyl-methyl methylphosphoamidate		5
tert-Butyl chromate		1,4
n-Butyl glycidyl ether (BGE)	10	1,4
n-Butyl lactate		1,2,4
Butyl mercaptan		1,4
o-sec-Butylphenol		1,4
Butylamine, all isomers		1,4
2-(p-tert)-Butylphenoxy isopropyl- 2-chloroethyl sulfite		3b
p-tert-Butyltoluene		1,4

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Butyric acid		2
beta-Butyrolactone		3
Cadmium		1,3a,3b,4
Cadmium compounds		3a,3b,4
Cadmium oxide		1,3b,4
Calcium carbide		2
Calcium cyanamide		1,4
Calcium dodecylbenzenesulphonate	15	5
Calcium hydroxide		1,4
Calcium hypochlorite		2
Calcium oxide		1,4
Calcium silicate	35	1,4
Calcium sulfate		1,4
Camphor		1,4
Caprolactam		1,2,4
Captafol		1,4,5
Captan		1,4
Carbaryl(Sevin-R)		1,4
Carbofuran		1,4
alpha-2-Carbomethoxy-1-methylvinyl dimethyl phosphate (mevinphos)		2
Carbon black	13	1,4
Carbon dioxide		1,4
Carbon disulfide		1,4
Carbon monoxide		1,4
Carbon tetrabromide		1,2,4
Carbon tetrachloride (tetracholoromethane)		1,3a,3b,4
Carbonyl fluoride		1,4
Carbophenothion		5
Catechol		1,2,4
Cellulose (paper fiber)		1,4
Cesium hydroxide		1,4,5
Chlorambucil		3a,3b
Chlordane		1,4
Chlordimeform		5
Chlorendic acid		3a
Chlorfenvinphos		5
Chlorinated benzenes		1,3b
Chlorinated camphene		1,4
Chlorinated cresols		5
Chlorinated disphenyl oxide		1,4
Chlorinated naphthalenes	30	2
Chlorinated paraffins (C[12], 60%)		3a
Chlorine		1,4
Chlorine dioxide		1,4
Chlorine trifluoride		1,4
Chloroacetaldehyde		1,4
Chloroacetone		4
alpha-Chloroacetophenone (phenacyl chloride)		1,4

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Chloroacetyl chloride		1,4
Chloroalkyl ethers		3b
Chlorobenzene (monochlorobenzene)		1,4
Chlorobenzilate		5
o-Chlorobenzylidene malononitrile (OCBM)		1,4
Chlorobromomethane		1,4
Chlorodifluoromethane		4
Chlorodiphenyl (chlorine)		1,4
1-Chloro,2,3-epoxypropane		1,4
2-Chloroethanol		1,4
1-(2-Chloroethyl)-3cyclohexyl-1-nitrosourea (CCNU)		3a,3b
Chloroethylene		1,4
Chloroform (trichloromethane)		1,3a,3b
Chloromethyl methyl ether (technical grade)		1,3a,4
3-Chloro-2-methyl propene		3a
1-Chloro-1-nitropropane		1,4
Chloropentafluoroethane		1,4
2-Chlorophenol		2
4 Chloro-o-phenylenediamine		3a,3b
Chloropicrin		1,4
Chloroprene (2-Chloro-1,3 butadiene)		1,4
o-Chlorostyrene		1,4,5
Chlorosulfonic acid		2
Chlorotoluene		1,2
o-Chlorotoluene		4
3-Chloro-p-toluidine hydrochloride		5
2-Chloro-6-(trichloromethyl) pyridine		1,2,4
Chlorpyrifos		1,2,4
Chromic acid		1
Chromic, chromous and chromate salts		1,3a
Chromite ore processing (Chromate)		4
Chromium		1,3a,3b,4
Chromium compounds		1,3a,3b,4
Chromyl chloride		4
C.I. Basic Red 9 monohydrochloride		3a
Citrus Red number 2		3b
Clonitralid		2
Clopidol		1,4
Coal dust		1,4
Coal tar pitch volatiles (Benzene soluble fraction) anthracene BAP, Phenanthrene, acridine, chrysene, pyrene	9	1,4
Cobalt	3	1,4
Cobalt carbonyl		1,4
Cobalt hydrocarbonyl		1,4
Cobaltous bromide		2
Cobaltous formate		2
Cobaltous sulfamate		2
Coke oven emissions		1,3a
Copper	3	1,2

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Copper compounds	36	2
Copper dusts and mists		1,4
Copper fume		1,4
Cotton dust (raw)	22	1,4
Coumaphos		2
Crag-R herbicide		1
p-Cresidine		3a,3b
Cresol, all isomers		1,4
Cristobalite		1,4
Crotonaldehyde		1,4
Crufomate		1,4
Cumene		1,4
Cupferron		3a
Cyanamide		1,2,4
Cyanide		1,4
Cyanides, inorganic salts		1,2,4
Cyanogen		1,2,4
Cyanogen chloride		1,4,5
Cycasin		3a,3b
Cyclohexane		1,4
Cyclohexanol		1,4
Cyclohexanone		1,4
Cyclohexene		1,4
Cycloheximide		5
Cyclohexylamine		1,4,5
Cyclonite (RDX)		1,4
Cyclopentadiene		1,4
Cyclopentane		1,4
Cyclophosphamide		3a,3b
Cyclotrimethylenetrinitramine (Cyclonite (RDX)		1,4
Cyhexatin		1,4
Dacarbazine		3a,3b
Daunomycin		3b
2,4-D (2,4-Dichlorophenoxyacetic acid)		1,4
2,4-D ester (2,4-Dichlorophenoxyacetic acid ester)		2
2,4-DB (2,4-Dichlorophenoxy~~acetic~~butyric acid)		5
2,4-DP (2,4-Dichlorophenoxypropionic acid)		2
DDT		1,3a,3b,4
DDVP		1
Decaborane		1,4
Demeton		1,4
Diacetone alcohol (4-Hydroxy-4-methyl-2-pentanone)		1,4
N,N-Diacetylbenzidine		3b
Dialifor		5
2,4-Diaminoanisole sulfate		3a,3b
4,4-Diaminodiphenyl ether		3b
1,2-Diaminoethane		1,4
2,4-Diaminotoluene		3a,3b
Diatomaceous earth		4

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Diazinon		1,4
Diazomethane		1,4
Dibenz(a,h)acridine		3a,3b
Dibenz(a,j)acridine		3a,3b
Dibenz(a,h)anthracene		3a,3b
7H-Dibenzo(c,g)carbazole		3a,3b
Dibenzo(a,e)pyrene		3a,3b
Dibenzo(a,h)pyrene		3a,3b
Dibenzo(a,i)pyrene		3a,3b
Dibenzo (a,l) pyrene		3a
Dibenzoyl peroxide		5
Diborane		1,4
1,2-Dibromo-3-choloropropane (DBCP)		1,3a,3b
Dibromodifluoromethane		3a
1,2-Dibromoethane (EDB)		3a,4
Dibutyl phosphate		1,3a,4
2-(Dibutylamino)ethanol		1,3a,4
2-N-Dibutylaminoethanol		4
2,6-Di-tert-butyl-p-cresol, (BHT)	7	4
Dibutylphthalate		1,4
Dicamba		3a
Dichlobenil		3a
Dichlone		3a
Dichloroacetylene		1,4,5
o-Dichlorobenzene		1,4
p-Dichlorobenzene		1,3a,4
3,3' Dichlorobenzidine		1,3a,4
Dichlorobenzidene (and its salts)		3a,3b
1,1-Dichloro-2,2-bis(p-chlorophenyl) ethylene		5
3,3'Dichloro-4,4'-diaminodiphenyl ether		3b
Dichlorodifluoromethane(FC-12)		1,4
1,3-Dichloro-5,5-dimethyl-hydantoin		1,4
1,1-Dichloroethane		1,3a,4
1,2-Dichloroethane		1,3a,4
1,1-Dichloroethylene		4
1,2-Dichloroethylene		1,4
Dichloroethyl ether		1,4
Dichloromethane		1,3a
Dichloromonofluoromethane(FC-21)		1,4
1,1-Dichloro-1-nitroethane		1,4
2,4-Dichlorophenol		5
2,4-Dichlorophenyl p-nitrophenyl ether		5
1,2-Dichloropropane		1,4
~~Dichloropropane(s)~~		~~4~~
1,3-Dichloropropene		1,3a
Dichloropropene(s)		4
2,2-Dichloropropionic acid		1,5,4
1,2-Dichloro-1,1,2,2-tetrafluoro-ethane(FC-114)		1,4
Dichlorovos		4

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Dicrotophos		1,4
Dicyclohexylmethane-4,4'-diisocyanate		2
Dicyclopentadiene		1,2,4
Dicyclopentadienyl iron		1,4
Dieldrin		1,4
Diepoxybutane	10	3a,3b
Diethanolamine		1,4
Diethyl ketone		1,4
Diethyl phthalate		1,4
Diethyl sulfate		3a,3b
Diethylamine		1,4
2-(Diethylamino)ethanol		1,4
Diethylenetriamine		1,2,4
Di-2-ethylhexylphthalate		3a,4
1,2-Diethylhydrazine		3b
Diethylstilbestrol(DES)		3a,3b
Diethylether		1,4
Difluorodibromomethane		1,4
Diglycidyl ether (DGE)		1,4
Diglycidyl resourcinal ether		3a
2,3-Dihydro-2,2-dimethyl-7-benzofuranyl methylcarbamate (carbofuran)		2
Dihydrosafrole		3b
Dihydroxybenzene		1,4
Dihydroxymethylfuratrizine (Panfuran S)		3b
Diisobutyl ketone		1,4
Diisopropylamine		1,4
3,3'-Dimethoxybenzidine		3a,3b
3-(Dimethoxyphosphinyloxy)-N-methyl-cis-crotonamide (monocrotophos)		2
N,N-Dimethylacetamide		1
4-Dimethylaminoazobenzene		1,3a,3b
trans-2 [(Dimethylamino) methylimino]-5-[2-(5-nitro-2-furyl) vinyl] - 1,3,4 - oxadiazole		3b
Dimethoxymethane		1
Dimethylacetamide		1,4
Dimethylamine		1,4
Dimethylaminobenzene		1,4
N-Dimethylaniline		1
N,N-Dimethylaniline		2,4
Dimethylbenzene, all isomers		1,4
3,3'-Dimethylbenzidine		3a,3b
Dimethylcarbamoyl chloride		3a,3b,4
O,o-Dimethyl O-(1,2-dibromo-2,2-dichloroethyl) phosphate		1,4,5
Dimethyl 1,2-dibromo-2,2-dichloroethyl phosphate (Dibrom)		1,4,5
N,N-Dimethylformamide		1,4
2,6-Dimethylheptanone		1,4
Dimethylhydrazine, all isomers		1,3b
1,1-Dimethylhydrazine		1,3a,4

O,O-Dimethyl O-p-(methylsulfinyl)phenyl phosphoro-thioate (fensulfothion)		2
O,O-Dimethyl S-4(4-oxo-benzotriazino-3) methyl phosphorodithioate		5
O,S-Dimethyl phosphoramidothioate		5
O,O-Dimethyl phosphorodithioate, S-ester with 4-(mercaptomethy)-2-methoxy-sigma 2-1,3,4-thiadiazolin-5-one		2
Dimethylphthalate		1,4
Dimethyl vinyl chloride		3a
Dimethyl sulfate		1,3a,3b,4
Dinitolmide		1,4
Dinitrobenzene(s), all isomers		1,4
Dinitro-o-cresol		1,4
Dinitrophenols(s)		2
1,6 Dinitropyrene		3b
1,8 Dinitropyrene		3b
3,5-Dinitro-o-toluamide		4,5
Dinitrotoluene(s), all isomers		1,4
Dinoseb		2
1,4-Dioxane		1,3a,3b,4
2,3-p-Dioxanedithiol, S,S-bis (O-O-diethyl phosphoro-dithioate) (dioxathion)		1,4
Diphenyl		1,4
Diphenylmethane diisocyanate		1,4
Di-sec, octyl phthalate		1,4
Diphenylamine		1,4
Diphenylhydrazine		2
Dipropyl ketone		1,4
Dipropylene glycol monomethyl ether		1,4
Diquat		1,4
Direct Black 38		3a,3b
Direct Blue 6		3a,3b
Disulfiram		1,4
Disulfoton		1,4
2,6-Ditertbutyl-p-cresol		1,4
Diuron		1,2,4
Divinyl benzene		1,4
Dodecylbenzenesulfonic acid	9	2
EDTA		2
Emery		1,4
Endosulfan	35	1,4
Endrin		1,4
Enflurane		4
Epichlorohydrin	12	1,3a,3b,4
EPN		1,4
1,2-Epoxypropane		1,4
2,3-Epoxy-1-propanol		1,4
Estrogens (conjugated)		3a
Estrogen (not conjugated) Estadiol 17B, Estrone, Ethinylestradiol, and Mestranol)		3a
Estrone		3b

Ethane		4
Ethanethiol		1,4
Ethanolamine		1,4
Ethinyloestradiol		3b
Ethion		1,2,4
2-Ethoxyethanol		1,4
Ethoxyethylacetate		1,4
Ethyl acetate		1,4
Ethyl acrylate		1,3a,4
Ethyl alcohol	11	1,4
Ethyl sec-amyl ketone		1,4
Ethyl bromide		1,4
Ethyl butyl ketone		1,4
Ethyl chloride		1,4
Ethyl ether		1,4
Ethyl formate		1,4
Ethyl mercaptan		1,4
Ethyl methanesulfonate		3b
Ethyl 3-methyl-4-(methylthio) phenyl (1-methylethieyl) phosphoramidate		2
Ethyl parathion		5
Ethyl silicate		1,4
O-Ethyl S,S-dipropyl phosphorodithioate (ethoprop)		5
Ethylamine		1,4
Ethylbenzene		1,4
Ethylene		4
Ethylene chlorohydrin		1,4
Ethylene dibromide		1,3b,4
Ethylene dichloride		1,3b,4
Ethylene glycol		1,2,4
Ethylene glycol dinitrate		1,4
Ethylene glycol methyl ether acetate		4
Ethylene glycol monobutyl ether		2
Ethylene glycol monoethyl ether		1
Ethylene glycol monomethyl ether acetate		1
Ethylene oxide		1,3a,3b,4
Ethylenediamine		1,4
Ethyleneimine		1,4
Ethylenethiourea		3a,3b
Ethylidene norbornene		1,2,4
N-Ethylmorpholine		1,4
Fenamiphos		4
Fensulfothion		1,4
Fenthion		1,4
Ferbam		1,4
Ferrovanadium dust	3	1,4
Fluoracetamide/1081		5
Fluoranthene		5
Fluoride, and inorganic fluoride compounds		1,4

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Fluorine		1,4
Fluorotrichloromethane (Trichlorofluoromethane) (FC-11)		1,4
Fonofos		1,2,4
Formaldehyde		1,3a,3b,4
Formamide		1,2,4
Formic acid		1,4
2-(2-Formylhydrazino)-4-(5-nitro-2-furyl) thiazole		3b
Fumaric acid	13	2
Furfural		1,4
Furfuryl alcohol		1,4
Gasoline	12	1,2,3b,4
Germanium tetrahydride		1,4
Glass, fibrous or dust		2,4
Glasswool		3b
Glutaraldehyde		1,2,4
Glycerin mist	35	1,4
Glycidaldehyde		3b
Glycidol	10	1,4
Glycol monoethylether		1,4
Grain dust (oats, wheat, barley)		1,4
Graphite	13	1,4
Guthion		1
Gypsum	35	1,4
Hafnium		1,4
Haloethers (other than those listed elsewhere, includes chlorophenylphenyl ethers, bromophenylphenyl ether, bis (dichloroisopropyl) ether, bis (chloroethoxy) methane and polychlorinated diphenyl ethers)		5
Haolthane		4
Helium		4
Hematite	28	3a
Heptachlor		1,4
n-Heptane		1,4
Hexachlorobenzene		3a
Hexachlorobutadiene		1,2,4
Hexachlorocyclohexane		2
Hexachlorocyclohexane (isomers)		3a
Hexachlorocyclopentadiene		1,4
Hexachloroethane		1,4
Hexachloronaphthalene		1,4
Hexafluoroacetone		1,4
Hexamethylene diisocyanate		2,4
Hexamethylphosphoramide		3a,3b,4
Hexane		1,4
~~n-Hexane~~		~~1,2~~
2-Hexanone		1,4
Hexone		1,4
sec-Hexyl acetate		1,4

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Hexylene glycol		1,2,4
Hydrazine		1,3a,3b,4
Hydrazine sulfate		3a
Hydrazobenzene		3a
Hydrobromic acid		2
Hydrochloric acid		2
Hydrocyanic acid		5
Hydrofluoric acid		2
Hydrogen		2,4
Hydrogenated terphenyls		1,5,4
Hydrogen bromide		1,4
Hydrogen chloride		1,4
Hydrogen cyanide		1,4
Hydrogen fluoride		1,4
Hydrogen peroxide		1,4
Hydrogen selenide		1,4
Hydrogen sulfide		1,4
Hydroquinone		1,4
4-Hydroxy-4-methyl-2-pentanone		4,5
2-Hydroxypropyl acrylate		1,4
Indene		1,2,4
Indeno(1,2,3-cd) pyrene		3a
Indium and indium compounds		1,4
Iodine		1,4
Iodoform		1,4
Iron dextran		3a,3b
Iron dextran complex		3a
Iron oxide fume		1,4
Iron pentacarbonyl		1,4,5
Iron salts, soluble	14	1,4
Isoamyl acetate		1,4
Isoamyl alcohol		1,4
Isobutyl acetate		1,4
Isobutyl alcohol		1,4
Isooctyl alcohol		1,4
Isophorone		1,4
Isophorone diisocyanate		1,5,4
Isoprene		2
Isopropanolamine dodecylbenzene sulfonate	15	5
Isopropoxythanol		1,4
2-Isopropoxyphenyl N-methylcarbamate(propoxur)		2
Isopropyl acetate		1,4
Isopropyl alcohol		1,4
Isopropyl alcohol manufacturing	29	3a
Isopropylamine		1,4
Isopropyl ether		1,4
Isopropyl glycidyl ether	10	1,4
N-Isopropylaniline		1,4
Isosafrole		3b

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Kaolin		1,4
Kepone		3a
Ketene		1,4
Lasiocarpine		3b
Lead		1,3b,4
Lead acetate		3a
Lead arsenate		4
Lead chromate		4
Lead compounds		3b
Lead phosphate		3a
Lindane		1,3a,4
Liquified petroleum gas (LPG)		1,4
Lithium hydride		1,4
Magnesite	35	1,4
Magnesium oxide fume	3	1,4
Malathion		1,4
Maleic acid		2
Maleic anhydride		1,4
Manganese	3	1,4
Manganese compounds		1,2,4
Manganese, cyclopentadienyl-tricarbonyl		1,4
~~Manufacture of auramine~~		~~3a~~
Marine diesel fuel		3b
MCPA (2-Methyl-4-chlorophenoxyacetic acid)		2
Melphalan		3a,3b
Mercaptodimethur		2
Mercury and mercury compounds		1,4
Merphalan		3b
Mesityl oxide		1,4
Mestranol		3b
Methacrylic acid		1,4
Methane		4
Methanethiol		1,4
Methomyl		1,4
Methoxsalen (with ultra violet therapy) (PUVA)		3a,3b
Methoxychlor		1,4
2-Methoxyethanol		1,4
2-Methoxyethyl acetate		4
4-Methoxyphenol		1,4
Methyl acetate		1,4
Methyl acetylene		1,4
Methyl acetylene-propadiene mixture (MAPP)		1,4
Methyl acrylate		1,4
Methyl alcohol	12,15	1,4
Methyl amyl alcohol		1,4
Methyl n-amyl ketone		1,4
Methyl bromide		1,4
Methyl butyl ketone		1,4
Methyl cellosolve		1

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Methyl cellosolve acetate	1
Methyl chloride	1,4
Methyl chloroform	1,4
Methyl chloromethyl ether	1,3a
Methyl 2-cyanoacrylate	1,2,4
Methyl demeton	1,4
Methyl ethyl ketone	1,4
Methyl ethyl ketone peroxide	1,2
Methyl formate	1,4
Methyl hydrazine	1,2,4
Methyl iodide	1,~~3a~~,3b,4
Methyl isoamyl ketone	1,2,4
Methyl isobutyl carbinol	1,4
Methyl isobutyl ketone	1,4
Methyl isocyanate	1,4
Methyl isopropyl ketone	1,4
Methyl mercaptan	1,4
Methyl methacrylate	1,4
Methyl methanesulfonate	3b
S-Methyl N-(methylcarbamoyl) oxythioacetamidate(methomyl)	2
N-Methyl-N'-nitro-N-nitrosoguanidine	3b
2-Methyl-1-nitroanthraquinone	3b
Methyl parathion	1,4
Methyl propyl ketone	1,4
Methyl silicate	1,4
alpha-Methylacrylonitrile	1,4
Methylal	1,4
Methylamine	1,4
N-Methylaniline (Monomethylamie)	4
o-Methylaniline	5
2-Methylaziridine (propyleneimine)	3a,3b
Methylazoxymethanol	3b
Methylazoxymethyl acetate	3b
5-Methylchrysene	3a
Methylcyclohexane	1,4
Methylcyclohexanol, all isomers	1,4
o-Methylcyclohexanone	1,4
2-Methylcyclopentadienyl manganese tricarbonyl	1,4
4,4'-Methylene bis-(2-chloroaniline) (MOCA)(MBOCA)	1,3a,3b,4
Methylene bis (4-cyclohexylisocyanate)	1,2,4
4,4'-Methylene bis(2-methylaniline)	3b
4,4'-Methylenedianiline and its Dihydrochloride	3a,4
Methylene bis(4-phenyl isocyanate)	1,4
4,4'-Methylene bis(n,n-dimethyl)benzenamine	3a
Methylene chloride	1,2,3a,4
alpha-Methylstyrene	1,4
Methylthiouracil	3b
Metribuzin	1,4
Metronidazole	3a,3b

Mevinphos		4
Mexacarbate		5
Mica	13	1,4
Michler's ketone		3a
Mineral wool fiber		4
Mirex		3a,3b
Mitomycin C		3b
Molybdenum	3	1,4
Molybdenum compounds	15	1,4
Monocrotaline		3b
Monocrotophos		1,4
Monomethylaniline		1
Monomethylhydrazine		1
Morpholine		1,4
5 - (Morpholinomethyl) - 3 - 5 - (nitrofurfurylidene) - amino - 2 - oxazolidinone		3b
Mustard gas		3a,3b
Nafenopin		3b
Naled		4
Naphtha, coal tar		1
Naphthalene		1,4
Naphthalene diisocyanate		5
Naphthenic Acid		2
alpha-Naphthylamine		1,5
beta-Naphthylamine		1,3a,3b,4
1-(1-Naphtyl)-2-thiourea		2
Neon		4
Nickel		1,3a,3b,4
Nickel carbonyl		1,4
Nickel compounds		1,3a,3b
~~Nickel refining~~		~~3a~~
Nicotine		1,4
Niridazole		3b
Nitrapyrin		4
Nitric acid		1,4
Nitric oxide		1,4
Nitrilotriacetic acid		3a
5-Nitroacenaphthene		3b
p-Nitroaniline		1,4
Nitrobenzene		1,4
p-Nitrochlorobenzene		1,4
o-Nitrochrysine		3b
4-Nitrodiphenyl	26	1,4,5
Nitroethane		1,4
Nitrofen		3a
2-Nitrofluorine		3b
1-(5-Nitrofurfurylidene)amino-2-imidazolidinone		3b
N-4-(5-Nitro-2-furyl)-2-thiazolyl acetamide		3b
Nitrogen		4

Nitrogen dioxide		1,4
Nitrogen mustard		3a
Nitrogen mustard and its hydrochloride		3b
Nitrogen mustard N-oxide and its hydrochloride		3b
Nitrogen trifluoride		1,4
Nitroglycerin		1,4
Nitromethane		1,4
5-Nitro-o-anisidine		3a
Nitrophenols, all isomers		2
1-Nitropropane		1,4
2-Nitropropane		1,3a,4
Nitropropanes		1,3b
1-Nitropyrine		3b
4-Nitropyrine		3b
N-Nitroso-n-butylamine		3a,3b
N-Nitrosodiethanolamine		3a,3b
N-Nitrosodiethylamine		3a,3b
N-Nitrosodimethylamine		1,3a,3b,4
p-Nitrosodiphenylamine		3a
N-Nitrosodi-n-propylamine		3a,3b
N-Nitroso-N-ethylurea		3a,3b
N-Nitrosomethylethylamine		3b
N-Nitroso-N-methylurea		3a,3b
N-Nitroso-N-methylurethane		3b
N-Nitrosomethylvinylamine		3a,3b
N-Nitrosomorpholine		3a,3b
N-Nitrosonornicotine		3a,3b
N-Nitrosopiperidine		3a,3b
N-Nitrosopyrrolidine		3a,3b
N-Nitrososarocosine		3a,3b
Nitrotoluene		1,4
Nitrotrichloromethane		1,4
Nitrous oxide		2,4
Nonane		1,2,4
Norethisterone		3a,3b
Norethisterone acetate		3b
Nuisance dust		1,4
Octachloronaphthalene		1,4
Octane		1,4
Oil mist, mineral		1,4
Oil orange SS		3b
Organo (alkyl) mercury		1
Osmium tetroxide		1,4
Oxalic acid		1,4
4-4'-Oxydianiline		3a
Oxygen difluoride		1,4
Oxymetholone		3a,3b
Ozone	17	1,4
Paraffin wax vapor fume		4

Paraformaldehyde		2
Paraquat		1,4
Parathion		1,4
Pentaborane		1,4
Pentachloronaphthalene		1,4
Pentachlorophenol		1,4
Pentaerythritol	35	1,4
Pentane		1,4
2-Pentanone		1,4
Perchloroethylene		1,2,3a,4
Perchloromethyl mercaptan		1,4
Perchloryl fluoride		1,4
Perlite		1,4
Petroleum distillates (naphtha)		1,3b,4
Phenacetin		3a,3b
Phenazophridine hydrochloride		3a,3b
Phenazopyridine		3a
Phenol		1,4
Phenothiazine		1,4
Phenoxybenzamine and its hydrochloride		3b
p-Phenylenediamine		1,4
N-Phenyl-beta-naphthylamine		4
Phenyl ether, vapor		1,4
Phenyl ether-biphenyl mixture		1
Phenyl ether-diphenyl (eutectic mixture), vapor		2
Phenylethylene		1,4
Phenylglycidylether	10	1,4
Phenylhydrazine		1,4
Phenyl mercaptan		1,4,5
Phenylphosphine		1,4,5
Phenytoin and sodium salt		3a
Phorate		1,2,4
Phosdrin		1,4
Phosgene		1,4
Phosacetim		5
Phosphamidon		5
Phosphine		1,4
Phosphoric acid		1,4
Phosphorous		2
Phosphorous (yellow)		1,4
Phosphorous oxychloride		1,2,4
Phosphorous pentachloride		1,4
Phosphorous pentasulfide		1,4
Phosphorous trichloride		1,4
Phthalate esters	33	5
Phthalic anhydride		1,4
m-Phthalodinitrile		1,4,5
Picloram		1,4,5
Picric acid		1

Piperazine dihydrochloride		1,4
2-Pivalyl-1,3-indandione (Pindone, Pival)		1,4
Plaster of Paris	35	1,4
Platinum		4
Platinum, soluble salts		1
Polybrominated biphenyls (PBBs)		3a
Polychlorobiphenyls (PCBs)		3a,3b,4
Polynuclear aromatic hydrocarbons	18	3b
Polytetrafloroethylene, decomposition products		4,5
Ponceau MX		3b
Ponceau 3R		3b
Portland cement		1,4
Potassium hydroxide		1,2,4
Potassium permanganate		2
~~Procarbazine~~		~~3a~~
Procarbazine hydrochloride		3a,3b
Progesterone		3a,3b
Propane	12	1,4
1,3-Propane sultone		3a,3b,4
Propanil		5
Propargyl alcohol		1,2,4
beta-Propiolactone		1,3a,3b,4
Propionic acid		1,2,4
Propionic anhydride		2
Propoxur		1,4
n-Propyl acetate		1,4
Propyl alcohol		1,4
n-Propyl nitrate		1,4
Propylene		2,4
Propylene dichloride		1,4
Propylene glycol dinitrate		1,5,4
Propylene glycol monomethyl ether		1,2,4
Propyleneimine		1,3a,4
Propylene oxide	10	1,3a,4
Propylithiouracil		3a,3b
Propyne		1,4
Pyrethrins		2
Pyrethrum		1,4
Pyridine		1,4
Quartz		4
Quinoline		2
Quinone		1,4
Radon and decay products		3b
Reserpine (many pharmaceutical names)		3a
Residual fuel oil		3b
Resorcinol		1,2,4
Rhodium	3	1,4
Rhodium soluble salts	2	1,4
Rockwool		3b

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Ronnel		1,4
Rosin core solder, pyrolysis products, as formaldehyde	19	1,4,5
Rotenone, commercial		1,4
Rouge	35	1,4
Rubber solvent (naphtha)		2,4
Saccharin		3a
Safrole		3a,3b
Schradan		2
Selenium and selenium compounds		1,4
Selenium hexafluoride		1,4
Selenium sulfide		3a,4
Sesone		4
Silane		2,4
Silica	20	1,4
Silicates	31	1
Silicon		1,4
Silicon carbide	35	1,4
Silicon tetrahydride		1,4
Silver	3	1,4
Silver compounds	21	1,4
Slag wool		3b
Soapstone	13	1,4
Sodium		2
Sodium azide		1,2,4
Sodium bisulfite		1,2,4
Sodium 2-(2,4-dichlorophenoxy) ethyl sulfate		4,5
Sodium dodecylbenzenesulfonate	15	5
Sodium fluoroacetate		1,4
Sodium hydrosulfide		2
Sodium hydroxide		1,4
Sodium hypochlorite		2
Sodium metabisulfite		1,4
Sodium methylate		2
Sodium nitrite		2
Soots, ~~Tars & Mineral oils~~ and tars	~~32~~	3ab
Starch	35	1,4
Stearates		4
Sterigmatocystin		3b
Stibine		1,4
Stoddard solvent		1,4
Streptozotocin		3a,3b
Strychnine		1,4
Styrene, monomer		1,4
Subtilisins (proteolytic enzymes)		1,4,5
Sucrose	35	1,4
Sulfallate		3a
Sulfotepp		4
Sulfur dioxide		1,4
Sulfur hexafluoride		1,4

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Sulfur monochloride		1,4
Sulfur pentafluoride		1,4
Sulfur tetrafluoride		1,4
Sulfuric acid		1,4
Sulfuryl fluoride		1,4
Sulprofos		1,4
Systox		1,4
Talc	13	1,4
Tantalum	3	1,4
Tantalum oxide	3	2,4
TDE		5
TEDP		1,4
Tellurium	3	1,4
Tellurium compounds		1,4
Tellurim hexoafluoride		1,4
Temephos		1,4
TEPP		1,4
Terphenyls		1,4
Testosterone and its esters		3b
2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)		3a,3b
1,1,1,2-Tetrachloro-2,2-difluoroethane		1,4
1,1,2,2-Tetrachloro-1,2-difluoroethane (FC-112)		1,4
1,1,2,2-Tetrachloroethane		1,4
Tetrachloroethylene		1,3a,4
Tetrachloronaphthalene		1,4
Tetraethyl dithionopyrophosphate		1
Tetraethyl lead		1,4
Tetraethyl pyrophosphate		5
Tetrahydrofuran		1,2,4
Tetramethyl O,O'-thio-di-p-phenylene phosphorothioate 1 (temephos)		4,5
Tetramethyl lead		1,4
Tetramethyl succiononitrile (decomposition of 2,2'-azo-bisisobutyronitrile)		1,4
Tetranitromethane		1,4
Tetrasodium pyrophosphate		1,4
Tetryl (2,4,6-trinitrophenylmethylnitramine)		1,4
Thallium	3	1,4
Thallium compounds		1,4
Thioacetamide		3a,3b
4,4'-Thiobis (6-tert-butyl-m-cresol)		1,4
4,4'-Thiodianiline		3b
Thioglycolic acid		1,2,4
Thionyl chloride		1,4
Thiourea		3a,3b
Thiram		1,4
Thorium dioxide		3a
Tin		4
Tin compounds		1,4

Tin oxides		1
Titanium dioxide	13	1,4
o-Tolidine		4
Toluene		1,4
Toluene diisocyanate		1,3a,4
~~Toluidine~~		~~1~~
m-Toluidine		1,4
o-Toluidine		1,3a,4
o-Toluidine hydrochloride		3a
p-Toluidine		1,4
Toxaphene		1,3a,3b,4
Tremolite		1,4,5
Tributyl phosphate		1,4
S,S,S-Tributyl phosphoro-trithioate		5
S,S,S-Tributyl phosphoro-trithioite		5
Trichlorfon		2
Trichloroacetic acid		1,4
1,2,4-Trichlorobenzene		1,4
1,1,1-Trichloroethane		1,4
1,1,2-Trichloroethane		1,4
Trichloroethylene		1,4
Trichlorofluomethane		4
Trichloronaphthalene		1,4
Trichlorophenols		3b
2,4,6-Trichlorophenol		3a
2,4,5-T (2,4,5-Trichlorophenoxyacetic acid)		1,4
2,4,5-T amines		5
2,4,5-T esters (2,4,5-Trichlorophenoxyacetic esters)		5
2,4,5-T salts (acetic acid, 2,4,5-Trichlorophenoxy sodium salt)		5
2,4,5-TP acid (propanoic acid, 2-(2,4,5-Trichlorophenoxy)		5
2,4,5-TP ester (propanoic acid, 2 - (2,4,5 - Trichlorophenoxy) - isooctyl ester		5
1,2,3-Trichloropropane		1,4
1,1,2-Trichloro-1,2,2-trifluoroethane (FC-113)		1,4
1,1,1-Trichloro-2,2-bis (p-chlorophenyl) ethane		2
Tridymite		1,4
Triethanolamine dodecylbenzenesulfonate	15	5
Triethylamine		1,2,4
Trifluorobromomethane		4
Trifluoromonobromomethane		1
Trimellitic anhydride		1,4
Trimethyl phosphite		1,4
Trimethylamine		1,4
Trimethylbenzene, all isomers		1,4,5
2,4,6-Trinitrophenol		1,4
2,4,6-Trinitrophenylmethylnitramine		1,4
Tri-ortho-cresyl phosphate		1,4
2,4,6-Trinitrotoluene		1,4

Triphenyl amine		1,4
Triphenyl phosphate		1,4
Tripoli		4
Tris (1-aziridinyl)phosphine sulfide		3a,3b
Tris (2,3-dibromopropyl) phosphate		3a,3b
Trypan blue		3b
Tungsten	3	1,2,4
Tungsten compounds		2,4
Turpentine		1,4
Untreated and mildly treated mineral oils	32	3b
Uracil mustard		3b
Uranium	3	1,4
Uranium compounds		1,4
Urethane		3a,3b
VM&P Naptha (Varnish Makers & Painters)		1,2,4
Valeraldehyde		1,2,4
Vanadium		1,4
Vanadium pentoxide	3	1
Vanadyl sulfate		2
Vegetable oil mists		1,4
Vinyl acetate		1,2,4
Vinyl benzene		1,4
Vinyl bromide		1,2,4
Vinyl chloride		1,3a,3b,4
Vinyl cyanide		1,4
Vinyl cyclohexene dioxide		1,5,4
Vinylidene chloride		1,4,5
Vinyl toluene		1,4
Warfarin		1,4
Welding fumes		1,4
Wood dust		1,4
Xylene, all isomers		1,4
m-Xylene-alpha, alpha'-diamine		1,5,4
Xylenol		2
Xylidine		1,4
Yttrium		1,4
Yttrium compounds		2
Zinc	3	2
Zinc compounds	23,34	2
Zinc chloride fume		1,4
Zinc chromates		1,4
Zinc oxide fume and dust		1,4
Zinc stearate dust		1
Zirconium		4
Zirconium compounds		1,4
~~Zirconium tetrachloride~~		~~1~~

NOTES

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1. Refers to solutions greater than or equal to 10 per cent. Exempt when present in food or beverages, such as vinegar, apple cider, and wine, regardless of concentration.
2. Refers to water soluble salts only; all other salts are exempt.
3. A Material Safety Data Sheet must be provided under the following circumstances:
   a. The metal is supplies as a fine powder.
   b. The metal is in welding or brazing rods.
   c. The metal may be melted with the generation of toxic fume.
   d. Under normal use, toxic dust or fume is likely to be generated by any manufacturing or construction process.
4. Exempt when in bonded form or when antimony compounds cannot be released due to cutting, grinding, heating, etc.
5. Except:
   a. Exterior and interior coatings and laminating resins containing encapsulated asbestos fibers with such products.
   b. Cold process asphalt roof coatings.
   c. Nonfriable encapsulated products such as floor tiles.
6. Any liquids; and products that could give rise to asphalt fume under normal conditions are included. Mechanical breakup of hardened asphalt surfaces is exempt.
7. Exempt when used in foods and feeds as a preservative.
8. Exempt except when present as free crystal/powder.
9. Products that could give rise to coal tar pitch volatiles during normal use are included.
10. Exempt when part of a cured epoxy or rubber.
11. Refers to solutions greater than or equal to 25 per cent. Alcohol contained in alcoholic liquor as defined in Section 2.05 of "An Act relating to alcoholic liquors" in any concentration is exempt.
12. Exempt when used as a fuel.
13. Exempt except when inhalable dust and/or particulates are present or are generated through use of the product.
14. Refers to the water soluble salts only except when mixed in food or animal feed.
15. Exempt when in mixture, suspension, or where inhalable dust or particles are not present or cannot be formed.
16. Exempt except where mists can be generated in the ordinary use of the products, e.g., cutting oils.
17. Occupational sources of ozone include, but are not limited to:
   a. During oxidizing process of find organic chemicals production (primarily ozoalic acid).
   b. During operations involving high-intensity UV light (plasma torch operations, glass blowing, hot metal operations, photoengraving operations, use of mercury vapor lamps, direct copying machines, projecting equipment).
   c. During operations involving high voltage electrical equipment (spectrographic and fluorogrametric appartus, electroplating operations, high-volt linear accelerators, and electrostatic precipitators).

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   d. During operations involving ozonizing process in treatment of water, industrial waste, and sewage; during air purification.
   e. During drilling, cutting, and welding operations utilizing laser radiation.
   f. During bleaching operations (textiles, pulp, paper, waxes, starch, sugar, teflon, and synthetic fibers), refining of mineral oils and their derivatives, processing or perfumes, vanilin, and camphor, aging and drying operations (wood, wines, whiskies, varnishes, and printing inks).
   g. During food preserving operations for mold and bacteria control.
   h. During welding operations using inert gas shielded arc welding devices, bare wire arc welding.
   i. During manufacturing production of ozone.
18. Includes benzanthracenes, benzopyrenes, benzofluoranthene, chrysenes, bibenzanthracenes, and indenopyrenes.
19. Refers to smoke and fume products given off during soldering.
20. Exempt except when inhalable particulates are present or can be generated.
21. Silver compounds existing in stable emulsions or suspensions, as in photographic film are exempt.
22. Applicable to cotton fiber for use in industries or operation covered by Federal Occupational Safety and Health Administration regulations 29 C.F.R. 1910.1043.
23. Zinc Oxide is exempt except when present as dust or when generated as a fume. Zinc Stearate is exempt except when present as dust.
24. Refers to solutions greater than or equal to 4 per cent.
25. Refers to solutions greater than or equal to 3 per cent.
26. Refers to any mixture containing 0.1 per cent or greater of this substance.
27. Refers to any mixture containing 0.02 percent or greater inorganic arsenic.
28. Applies to underground hematite mines only.
29. Strong acid process.
30. Other than those listed elsewhere.
31. Exempt except when containing 1 percent or more crystalline silica.
32. Refined mineral oils, as approved by USDA and FDA, are exempt.
33. Except butyl benzyl phthalate and C(7,9,11) alkyl phthalate esters.
34 Exempt below 2.5 percent when in motor oil.
35. Appears on the ACGIH TLV list as a nuisance dust only.
36. Phthalocyanine crudes and pigments are exempt except when inhalable as dusts or mists.

SOURCE

The following list contains sources from which the "Toxic Substance List" was derived.

1. Occupational Safety and Health Administration Tables Z-1,Z-2 and Z-3; Code of Federal Regulations Part 1910.1000-1910.1500, US Government Printing Office, Washington, D.C., 1989.
2. Section 3(m)(ii) of the Toxic Substances Disclosure to Employees Act (Ill.

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Rev. Stat. 1989, ch. 48, par. 1403, as amended by P.A. 84-1320, effective May 18, 1987).

3a. *U.S. Department of Health and Human Services, Public Health Service National Toxicology Program, Fourth Annual Report on Carcinogens - Summary 1989, (NTP 85-002)* (Ill. Rev. Stat. 1989, Ch. 48, par. 1403.)

3b. I.A.R.C. Monographs on the Evaluation of Carcinogenic Risk of Chemicals to Man. Geneva: World Health Organization, International Agency for Research on Cancer, 1972-1977. (Multivolume work) 49 Sheridan Street, Albany, New York, December 1989.

4. Threshold Limit Values for Chemical Substances in the Work Environment Adopted by A.C.G.I.H. American Conference of Governmental Industrial Hygienists, 6500 Glenway Avenue, Bldg. D-5, Cincinnati, OH 45211, 1990-91 edition.

5. Section 3(m)(vi) of the Toxic Substances Disclosure to Employees Act (Ill. Rev. Stat. 1989, ch. 48, par. 1403, as amended by P.A. 84-1320, effective May 18, 1987).

(Source: Amended at 15 Ill. Reg. 16084, effective October 28, 1991)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: ADMINISTRATION OF SOCIAL SERVICE PROGRAMS

2) Code Citation: 89 Ill. Adm. Code 130

3) Section Numbers: Adopted Action:

130.400	New Section
130.500	Amendment

4) Statutory Authority: Sections 12-4.5 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 12-4.5 and 12-13)

5) Effective Date of Adopted Amendments: November 1, 1991

6) Does this rulemaking contain an automatic repeal date?
____Yes __X__No

7) Do these Adopted Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: November 1, 1991

9) Notices of Proposal Published in Illinois Register: May 31, 1991 (15 Ill. Reg. 8114)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Differences between proposal and final version: There were no changes

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were made

13) Will these Adopted Amendments replace Emergency Amendments currently in effect? No

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Adopted Amendments: This rulemaking provides for the delivery of emergency food and shelter services to homeless persons.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Myron Brigman
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER c: SOCIAL SERVICES

PART 130
ADMINISTRATION OF SOCIAL
SERVICE PROGRAMS

SUBPART A: TITLE XX BLOCK GRANT PROGRAM

Section
130.10 Program Administration
130.15 Definitions
130.20 Goal of Services
130.25 Service Activities
130.30 Expenditure of Block Grant Funds
130.35 Limitations on Services and Expenditures
130.40 Eligibility For Services
130.45 Opportunity to Apply For and Receive Services
130.46 Client Case Records
130.50 Purchase Of Services
130.60 Record Retention
130.70 Fees For Purchased Services
130.71 Fees For Services Provided Through Grants-In-Aid
130.80 Reporting Requirements

SUBPART B: LOCAL INITIATIVE FUND PROGRAM

Section
130.100 Applicability Of Other Sections
130.110 Overview
130.120 Program Administration
130.130 Request For Proposal
130.140 Allied Agency Responsibilities
130.150 Funding Mechanism
130.152 Sources of Local Funds
130.154 Sources of Locally Generated Funds Used to Match Title XX Funds
130.158 Donor Restrictions on Donations (Repealed)
130.160 Reimbursement Process - Donations (Transferred Funds or Co-Payments)
130.161 Advance Disbursement System
130.162 Reimbursement Process (Certification of Expended Funds)
130.170 Assignment of Budget Costs

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SUBPART C: DOMESTIC VIOLENCE PROGRAM

Section
130.200 Domestic Violence Shelter and Service Programs

SUBPART D: DISTRIBUTION OF FEDERAL SURPLUS COMMODITIES

Section
130.300 Program Administration
130.301 Definitions
130.302 Allocation Methodology for Federal Surplus Commodities
130.310 Distribution Network Agencies
130.311 Local Distribution Centers
130.312 Liability of Distribution Network Agencies
130.313 Reports and Maintenance of Records
130.314 Payment for Distribution
130.315 Second Harvest Shared Maintenance Fees
130.320 Eligibility to Receive Commodities
130.321 Issue Rates of Commodities

SUBPART E: SERVICES FOR THE HOMELESS

130.400 Emergency Food and Shelter Program

SUBPART EF: INCORPORATION BY REFERENCE

Section
130.500 Incorporation By Reference

AUTHORITY: Implementing and authorized by Sections 9-1, 12-4.5 through 12-4.7, and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 9-1, 12-4.5 through 12-4.7, and 12-13); and Sections 2 and 3 of "AN ACT in relation to domestic relations and domestic violence shelters and service programs", (Ill. Rev. Stat. 1989, ch. 40, pars. 2402 and 2403)

SOURCE: New rules adopted and codified at 8 Ill. Reg. 6069, effective April 25, 1984; amended at 9 Ill. Reg. 8645, effective May 22, 1985; amended at 9 Ill. Reg. 15882, effective October 6, 1985; amended at 10 Ill. Reg. 11915, effective July 3, 1986; amended at 11 Ill. Reg. 2828, effective January 30, 1987; amended at 13 Ill. Reg. 3831, effective March 17, 1989; amended at 13 Ill. Reg. 16756, effective October 13, 1989; amended at 14 Ill. Reg. 13772, effective August 20, 1990; amended at 14 Ill. Reg. 14537, effective August 29, 1990; amended at 15 Ill. Reg. _____, effective November 1, 1991.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SUBPART E: SERVICES FOR THE HOMELESS

Section 130.400 Emergency Food and Shelter Program

a) The Department shall provide for the delivery of services to homeless persons (For definition of "homeless", see 89 Ill. Adm. Code 121.7(a)(3).)

b) The services will include one or more of the following elements:

1) provision of emergency food and shelter to homeless persons;

2) provision of ancillary services (e.g., counseling, job training, advocacy) to homeless persons; and

3) rehabilitation of new or existing buildings to create additional shelter beds or to upgrade facilities for homeless persons.

c) To receive funds made available by the Department under this Section, a service provider must supply cash or in-kind contributions (e.g., volunteer services) equal to 25% of the cost of the service program being funded. No fees shall be assessed against recipients of services provided through funds made available under this Section, unless specifically approved by the Department. Recipients of services may be required to make non-financial contributions to the service provider, e.g., light housekeeping, and meal preparation.

d) Participation in or contributions to any service provider's functions or activities not directly related to the provision of emergency food and shelter services shall not be required as a condition of recipient eligibility.

(Source: Added at 15 Ill. Reg. 16112, effective November 1, 1991)

SUBPART EF: INCORPORATION BY REFERENCE

Section 130.500 Incorporation By Reference

Any rules or regulations of an agency of the United States or of a nationally recognized organization or association that are

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 130.500 Incorporation By Reference (Cont'd)

incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

(Source: Amended at 15 Ill. Reg. 16112, effective November 1, 1991)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Closure

2) Code Citation: 89 Ill. Adm. Code 617

3)

Section Numbers:	Adopted Action:
617.30	Amendment
617.70	Repealed

4) Statutory Authority: Implementing and authorized by the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1989, ch. 23, pars. 3434 (a), (b), and (k).

5) Effective Date of Rule(s) (Amendments, Repealer): October 24, 1991

6) Does this rulemaking contain an automatic repeal date?
___ Yes _X_ No

7) Does this rule (amendment, repealer) contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: October 18, 1991

9) Notice of Proposal Published in Illinois Register:

May 24, 1991, 15 Ill. Reg. 7885
(issue date)

10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? No If answer is "yes," please complete the following:

A) Statement of Objection: _____, ___Ill. Reg.____
(issue date)

B) Agency Response: _____, ___Ill. Reg._____
(issue date)

C) Date Agency Response Submitted for Approval to JCAR:

11) Difference(s) between proposal and final version:

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
Yes

13) Will this rule replace an Emergency Rule(s) currently in effect? No

DEPARTMENT OF REHABILITATION SERVICES

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14) Are there any amendments pending on this Part: No

Section Numbers	Proposed Action	Illinois Register Citation

15) Summary and Purpose of Rule(s): Section 617.30 is amended to clarify language in (c)(3) and update a CFR reference in (c)(5). Section 617.70 is being repealed as closures in work activity do not fit into the DORS philosophy of integration of persons with disabilities.

16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Susan Warrner, Acting Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

The full text of Adopted Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 617
CLOSURE

Section
617.10 General Applicability
617.20 Determination of Closure
617.30 Criteria for Being Determined "Rehabilitated"
617.40 Closure as an Unpaid Family Worker
617.50 Closure as a Homemaker
617.55 Closure in Supported Employment
617.60 Closure in Sheltered Employment
617.70 Closure in a Work Activity Program (Repealed)
617.80 Vocational Outcome at Closure
617.90 Certification of Ineligibility
617.100 Client Participation in Closure Decision
617.110 Annual Review of Ineligibility Decision

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(a),(b), and (k))

SOURCE: Adopted at 9 Ill. Reg. 8776, effective June 10, 1985; amended at 11 Ill. Reg. 4032, effective February 18, 1987; amended at 12 Ill. Reg. 6959, effective April 1, 1988; amended at 12 Ill. Reg. 11498, effective June 22, 1988; amended at 12 Ill. Reg. 17090, effective October 11, 1988; amended at 12 Ill. Reg. 17957, effective October 24, 1988; amended at 15 Ill. Reg. 7347, effective April 26, 1991; amended at 15 Ill. Reg. 16118, effective October 24, 1991.

Section 617.30 Criteria for Being Determined "Rehabilitated"

A determination that the client has been rehabilitated must meet the following criteria:

a) the counselor provided guidance and counseling;

b) VR services which were necessary and consistent with the client's goals and objectives in accordance with the Individualized Written Rehabilitation Program (IWRP) were provided;

c) the client has maintained suitable employment for at least 60 calendar days. Suitable employment is indicated when all of the following are present:

1) the client and employer are each satisfied as evidenced by the client's continued employment and as expressed by the client at the time of client participation in the closure decision (Section 617.100);

2) the client is maintaining adequate interpersonal relationships and acceptable behavior in the job environment as evidenced by the client's continued employment and as expressed by the client at time of client participation in the closure decision (Section 617.100);

3) the occupation is consistent with the client's capacities, abilities, and interests as documented in the client's Thorough Diagnostic Study (89 Ill. Adm. Code 552.90). ~~(~~If the occupation is different than the client's vocational goal (89 Ill. Adm. Code 572.60(b)~~)~~, the client must be ~~alerted to the fact~~ advised of the difference with documentation in the client's case file regarding this difference (89 Ill. Adm. Code 572.100) and an IWRP amendment written (89 Ill. Adm. Code 572.80.);

4) the client possesses acceptable skills to perform or continue the work satisfactorily as evidenced by the client's continued employment;

5) the employment is regular, reasonably permanent, (based upon the goal established in the client's IWRP (89 Ill. Adm. Code 572.60)), and the client receives a wage commensurate with that paid others for similar work as determined by wage information obtained by the counselor, e.g. Job Service, ~~Federal~~ U.S. Department of Labor, under legal requirements as contained in 29 CFR ~~524~~525 and Illinois Minimum Wage Law (56 Ill. Adm. Code 200) respectively; and

6) the employment and working conditions will not aggravate the client's disability and the client's disability in the job situation will not jeopardize the health or safety of him/herself or others based upon client information obtained during the diagnostic study (89 Ill. Adm. Code 552.50 through 70) and the counselor's knowledge of the job description and requirements.

(Source: Amended at 15 Ill. Reg. 16118, effective October 24, 1991

Section 617.70 Closure in a Work Activity Program (Repealed)

To be considered a rehabilitation closure in a work activity program (a supervised program of activities for clients not having the vocational potential for competitive or sheltered employment), in addition to the criteria contained in 617.30, the following requirements must be met:

a) the client must have received a comprehensive diagnostic workshop evaluation or participated in an extended evaluation program (89 Ill. Adm. Code 552.80) and/or a work adjustment training program with a vocational objective of sheltered or competitive employment.

b) During the course of the evaluation and/or work adjustment training, the client has reached a plateau or production has stabilized to such a degree that the DORS counselor determines that the client does not demonstrate the potential to meet the minimum qualifications for competitive employment or sheltered employment.

c) The client must be involved in work-oriented activities for at least 50% or more of their program hours per week, for a minimum of 60 calendar days. If, at the conclusion of the minimum 60 calendar day observation period, there has been no significant change in the client's performance and there is still concurrence that the client is suitably placed, the case may be closed as successfully rehabilitated.

d) If the client, during the 60 calendar day period in the work activities program, demonstrates the ability to be placed in sheltered employment (Section 617.60)

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as indicated by progress reports from the rehabilitation facility, the case should not be closed. Further consideration shall be given to additional VR services necessary for the client to be placed in sheltered employment. Closures shall only be made from Commission on Accreditation of Rehabilitation Facilities (CARF), National Accreditation Council (NAC), or DORS approved work activity programs.

(Source: Repealed at 15 Ill. Reg. 16118, effective October 24, 1991

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENTS

1) HEADING OF THE PART: Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit and Crow Hunting

2) CODE CITATION: 17 Ill. Adm. Code 530

3) SECTION NUMBERS: EMERGENCY ACTION:

530.80	Amendment
530.105	Amendment

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.33, 2.6, 2.7, 2.27, 2.30, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.33, 2.6, 2.7, 2.27, 2.30, 3.5, 3.27, 3.28 and 3.29) as amended by P.A. 87-0126, effective August 13, 1991.

5) EFFECTIVE DATE OF AMENDMENTS: October 25, 1991

6) IF THIS EMERGENCY AMENDMENT IS TO EXPIRE BEFORE THE END OF THE 150-DAY PERIOD, PLEASE SPECIFY THE DATE ON WHICH IT IS TO EXPIRE: These emergency amendments will remain in effect for the 150-day period.

7) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: October 25, 1991

8) REASON FOR EMERGENCY: The Department was unable to propose complete amendments to this rule until such time as P.A. 87-0126 was signed, which left less than the mandatory time necessary for adopting a rule prior to the start of the season. It is in the public's interest to have the regulations consistent throughout the season, rather than changing part-way through.

9) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED: Changes the price for the Daily Usage Stamp.

10) ARE THERE ANY PROPOSED AMENDMENTS TO THIS PART PENDING? Yes

Section Numbers	Proposed Action	Illinois Register Citation
530.80	Amendment	15 Ill. Reg. 12086, 8/30/91
530.100	Amendment	15 Ill. Reg. 12086, 8/30/91

11) STATEMENT OF STATEWIDE POLICY OBJECTIVES (if applicable): Not Applicable

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENTS

12) INFORMATION AND QUESTIONS REGARDING THESE AMENDMENTS SHALL BE DIRECTED TO:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

THE FULL TEXT OF THE EMERGENCY AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 530
COCK PHEASANT, HUNGARIAN PARTRIDGE, BOBWHITE QUAIL
RABBIT AND CROW HUNTING

Section
530.10 Statewide General Regulations
530.20 Statewide Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Cottontail and Swamp Rabbit Regulations
530.30 Statewide Hungarian Partridge Regulations (Repealed)
530.40 Statewide Bobwhite Quail Regulations (Repealed)
530.50 Statewide Rabbit Regulations (Repealed)
530.60 Statewide Crow Regulations
530.70 Controlled Pheasant Hunting Sites Permit Requirements
530.80 Controlled Pheasant Hunting Regulations
EMERGENCY
530.90 Illinois Youth Pheasant Hunting Sites Permit Requirements
530.100 Illinois Youth Pheasant Hunting Regulations
530.105 Regulations for Fee Hunting of Pheasant, Hungarian Partridge, Quail and Rabbit at Various Department-Owned or -Managed Sites
EMERGENCY
530.110 Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites
530.120 Regulations for Hunting Crow at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.33, 2.6, 2.7, 2.27, 2.30, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.33, 2.6, 2.7, 2.27, 2.30, 3.5, 3.27, 3.28 and 3.29) as amended by P.A. 87-0126, effective August 13, 1991.

SOURCE: Adopted at 5 Ill. Reg. 8777, effective August 25, 1981; codified at 5 Ill. Reg. 10634; amended at 6 Ill. Reg. 10667, effective August 20, 1982; amended at 7 Ill. Reg. 10755, effective August 24, 1983; amended at 8 Ill. Reg. 21574, effective October 23, 1984; amended at 9 Ill. Reg. 15846, effective October 8, 1985; amended at 10 Ill. Reg. 15579, effective September 16, 1986; emergency amendments at 10 Ill. Reg. 18822, effective October 16, 1986, for a maximum of 150 days; emergency expired March 15, 1987; amended at 11 Ill. Reg. 10546, effective May 21, 1987; amended at 12 Ill. Reg. 12016, effective July 7, 1988; amended at 13 Ill. Reg. 12796, effective July 21, 1989; emergency amendments at 13 Ill.

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Reg. 12985, effective July 31, 1989, for a maximum of 150 days; emergency expired December 28, 1989; amended at 13 Ill. Reg. 17348, effective October 27, 1989; amended at 14 Ill. Reg. 10775, effective June 20, 1990; emergency amendments at 14 Ill. Reg. 18324, effective October 29, 1990, for a maximum of 150 days; emergency expired March 28, 1991; amended at 15 Ill. Reg. 9924, effective June 24, 1991; emergency amendments at 15 Ill. Reg. 16124, effective October 25, 1991, for a maximum of 150 days.

Section 530.80 Controlled Pheasant Hunting Regulations
EMERGENCY

a) The controlled hunting season is November 6 through December 15, both dates inclusive, with the following exceptions:

1) All areas will be closed to pheasant permit hunting on every Monday and Tuesday during the controlled hunting season.

2) All areas are open to the Illinois Youth Pheasant Hunting Program only on November 10.

3) The controlled hunting season on the Green River State Wildlife Area (Lee County Conservation Area) is November 6 through November 14, November 20 through December 15 and December 20 through December 22.

4) The controlled hunting season on the Iroquois County State Wildlife Area is October 30 through November 14, November 20 through December 8 and December 13 through December 15.

b) Hunting hours are from 9:00 a.m. to 4:00 p.m. Hunters with reservations are required to check in at the check station between 7:00 a.m. and 8:00 a.m. Reservations are void after 8:00 a.m.

c) When daily quotas are not filled, permits will be issued on a first-come, first-served basis until 12:00 Noon.

d) Hunters are required to deposit their hunting license in the check station while hunting. Persons exempt by law from having a hunting license must deposit their Firearm Owner's Identification Card. If they are under 21 years old and do not have a card they must be accompanied by a parent, legal guardian or a person in loco parentis who

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has a valid card in possession. A ~~$10.00~~$15.00 Daily Usage Stamp must be purchased at each area.

e) Hunters are required to wear a cap and upper outer garment of solid and vivid blaze orange of at least 400 square inches. Hunters must also wear a back patch issued by the check station.

f) Anyone who has killed game previously and has it in his possession or in his vehicle must declare it with the person in charge of the area when he checks in. All such game found in a hunter's possession after he has started hunting on the area will be considered illegally taken if the hunter has not declared it prior to going into the field.

g) All hunting must be done with shotguns or bow and arrow. Only shot shells with a shot size of No. 5 lead or No. 3 steel or smaller may be used, except at the Wayne Fitzgerrell State Recreation Area where only shot shells with a shot size of No. 3 steel or smaller may be used. Flu flu arrows only may be used by bow and arrow hunters.

h) Non-hunters are not allowed in the field.

i) Hunters under 16 years of age must be accompanied by an adult hunter.

j) Pheasants only may be taken. Daily limit:

Two pheasants of either sex at Eldon Hazlet State Park, Chain O'Lakes State Park, Iroquois County State Wildlife Area, Moraine View State Recreation Area, Richland County Controlled Pheasant Hunting Area, Wayne Fitzgerrell State Recreation Area, Des Plaines State Fish and Wildlife Area and Green River State Wildlife Area (Lee County Conservation Area).

k) Tagging of birds.

All pheasants must be affixed with a Department tag before they are removed from the area during the controlled pheasant hunting season.

l) Hunters may not leave the confines of any permit area and return to hunt on the permit area during the same day.

m) It shall be unlawful to hunt on a site listed in

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subsection (j) for the remainder of the controlled hunting season after being issued a citation for violation of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, par. 2.33(g), (i), (j), (k), (n), (o), (p), (u), (x), (z), (cc) and (gg) or 17 Ill. Adm. Code 510.10(c)(4), (6), (11) and (12) and subsection 530.20(d) and subsections (d), (e), (g) and (j) of this Section, at that site. Hunters so cited may appeal the loss of hunting privileges to the site superintendent at the site where the violation(s) occurred. Hunters may also request a hearing within ten days of the citation by written request addressed to: Legal Division, Department of Conservation, 524 South Second Street, Springfield, IL 62706. Such hearing shall be governed by the provisions of 17 Ill. Adm. Code 2530.

(Source: Emergency amendment at 15 Ill. Reg. 16124, effective October 25, 1991, for a maximum of 150 days)

Section 530.105 Regulations for Fee Hunting of Pheasant, Hungarian Partridge, Quail and Rabbit at Various Department-Owned or -Managed Sites

EMERGENCY

a) All the regulations in 17 Ill. Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.

b) All hunters must wear a cap and upper outer garment of solid and vivid blaze orange of at least 400 square inches.

c) All areas are closed to upland game hunting Mondays and Tuesdays, Christmas Day and New Year's Day, with the following exceptions: non-fee rabbit hunting is allowed every Monday and Tuesday at Ramsey Lake State Park and Site M Controlled Quail and Pheasant Hunting Area is closed to hunting on Thanksgiving Day).

d) Hunting hours are 9:00 a.m. to 3:00 p.m. (except on Thanksgiving Day hunting hours are 9:00 a.m. to 1:00 p.m. at Kankakee River State Park, Silver Springs State Park and Sand Ridge State Forest).

e) All hunting must be done with shotgun or bow and arrow. Only shot shells with a shot size of No. 5 lead or No. 3 steel or smaller may be used. Flu flu arrows only may be used by bow and arrow hunters.

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f) All pheasants and quail must be affixed with a Department tag before they are removed from the area.

g) A drawing will be held at the site for hunter quotas; a ~~$10.00~~$15.00 daily usage stamp is required opening date through the day following the final game bird release.

h) When daily quotas are not filled, hunters will be allowed to check in on a first-come first-served basis until 1:00 p.m.

i) The Department will announce by public news release the registration time and quota to be filled.

j) Hunters are required to deposit their hunting license in the check station while hunting. Persons exempt by law from having a hunting license must deposit their Firearm Owner's Identification Card. If they are under 21 years old and do not have a card they must be accompanied by a parent, legal guardian or a person in loco parentis who has a valid card in possession.

k) A back patch issued at the check station must be worn while hunting.

l) Non-hunters are not allowed in the field.

m) Hunters will not leave the site without first checking out.

n) Pheasants of either sex may be harvested.

o) Statewide regulations as provided for in this Part apply at the following sites, except as noted above and in parentheses below:

Horseshoe Lake State Park (Madison County) (hunting season opens the first hunting day after the close of the duck hunting season)

Johnson-Sauk Trail State Park

Kankakee River State Park (Hunters must check out within 15 minutes of the close of hunting hours)

Ramsey Lake State Park

Sand Ridge State Forest

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Silver Springs State Park (Hunters must check out within 15 minutes of the close of hunting hours)

Site M Controlled Quail and Pheasant Hunting Area

Washington County Conservation Area

p) It shall be unlawful to hunt on a site listed in subsection (o) for the remainder of the controlled hunting season after being issued a citation for violation of the Wildlife Code (Ill. Rev. Stat. 1989, ch. 61, par. 2.33(g), (i), (j), (k), (n), (o), (p), (u), (x), (z), (cc) and (gg) or 17 Ill. Adm. Code 510.10(c)(4), (6), (11) and (12), subsection 530.20(d) and subsections (b), (d) and (j) of this Section, at the site. Hunters so cited may appeal the loss of hunting privileges to the site superintendent at the site where the violation(s) occurred. Hunters may also request a hearing within ten days of the citation by written request addressed to: Legal Division, Department of Conservation, 524 South Second Street, Springfield, IL 62701. Such hearing shall be governed by the provisions of 17 Ill. Adm. Code 2530.

(Source: Emergency amendment at 15 Ill. Reg. 16124, effective October 25, 1991, for a maximum of 150 days)

DEPARTMENT OF LABOR

NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Illinois Child Labor Law

2) Code Citation: 56 Ill. Adm. Code 250

3)

Section Numbers:	Emergency Action:
250.105	Amended
250.115	Amended
250.125	Amended
250.130	Amended
250.135	Amended
250.155	New Section
250.160	New Section
250.165	New Section
250.170	New Section
250.175	New Section
250.180	New Section
250.200	Amended
250.600	Amended
250.700	Amended
250.705	New Section
250.710	New Section
250.715	New Section
250.805	Amended
250.820	Amended
250.825	Amended
250.855	New Section
250.860	New Section

4) Statutory Authority: Implementing Section 1, 3, 6, 8.1, 17.1-17.3 of the Illinois Child Labor Law (Ill. Rev. Stat. 1989 ch. 48, pars. 31.1, 31.3, 31.6, 31.8-1, 31.17-31.73).

5) Effective Date of Rule(s): October 25, 1991

6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: N/A.

7) Date Filed in Agency's Principal Office: October 16, 1991

8) Reason for Emergency: To immediately implement rules to cover the practice of modern day business and to provide standards for administrative hearings.

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9) A complete Description of the Subjects and Issues Involved: These amendments update the language of the Rules to cover the practices of modern day business. They also establish more complete standards for administrative hearings.

10) Are there any proposed amendments to this Part pending? No.

11) Statement of Statewide Policy Objectives: To make it more difficult for employers to evade the law with respect to minors working on their premises.

12) Information and questions regarding this rule shall be directed to:

Ann Plunkett-Sheldon, Chief Legal Counsel
Illinois Department of Labor
310 South Michigan Avenue, 10th Floor
Chicago, Illinois 60604
(312) 793-1819

The full text of the emergency rules begins on the next page.

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NOTICE OF EMERGENCY AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER I: DEPARTMENT OF LABOR
SUBCHAPTER b: REGULATIONS OF WORKING CONDITIONS

PART 250
ILLINOIS CHILD LABOR LAW

SUBPART A:
DEFINITIONS

Section

250.105 Statutory Terms Defined
EMERGENCY
250.115 Agriculture
EMERGENCY
250.125 Work
EMERGENCY
250.130 Time Record
EMERGENCY
250.135 Premises
EMERGENCY
250.155 Employer
EMERGENCY
250.160 Enterprise
EMERGENCY
250.165 Employed
EMERGENCY
250.170 Permitted or Allowed
EMERGENCY
250.175 Gainful Occupation
EMERGENCY
250.180 Filling Station or Service Station
EMERGENCY

SUBPART B:
~~DETERMINATION OF THOSE ESTABLISHMENTS AND/OR MINOR EMPLOYEES SUBJECT TO THE ACT~~
EMPLOYMENT CONDITIONS SUBJECT TO THE ACT

250.200 ~~Employer-Employee Relationship~~ Employers Subject to the Act
EMERGENCY

SUBPART F:
APPLICABILITY OF THE ILLINOIS
ADMINISTRATIVE PROCEDURE ACT

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250.600 ~~Suspension or Revocation of Employment Certificates~~ Revocation of Employment Certificates; Civil Penalty Assessments
EMERGENCY

SUBPART G:
HEARING PROCESS

250.700 Procedure and Time Table for Suspension or Revocation of Employment Certificates
EMERGENCY
250.705 Procedure for Child Labor Penalty Assessment
EMERGENCY
250.710 Assessing Penalties
EMERGENCY
250.715 Procedure for Contested Cases; Suspension or Revocation of Employment Certificates; Final Determinations of Civil Penalties
EMERGENCY

SUBPART H:
AN EMPLOYER SHALL BE CITED FOR
VIOLATIONS OF THE ACT AS FOLLOWS:

250.805 Hours of Work
EMERGENCY
250.820 Time Record
EMERGENCY
250.825 Hazardous Occupations
EMERGENCY
250.855 Minors Under Sixteen Appearing in Television or Motion Picture Productions
EMERGENCY
250.860 Minors: Athletic or Acrobatic Activity and Stunts
EMERGENCY

(Authority: Implementing Section 1, 2, 6, 8.1, 17.1-17.3 of the Illinois Child Labor Law (Ill. Rev. Stat. 1989 ch. 48, pars. 31.1, 31.3, 31.6, 31.8-1, 31.17-31.73).

(Source: Adopted 2 Ill. Reg. 22, p. 64 effective May 23, 1979, amended at 5 Ill. Reg. 902, effective January 14, 1981; codified 8 Ill. Reg. 18483; emergency amendments at 15 Ill. Reg. 16132 , effective October 25, 1991.)

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SUBPART A:
DEFINITIONS

Section 250.105 Statutory Terms Defined
EMERGENCY

~~As used herein Department of Labor shall mean the Illinois Department of Labor, its director, and his authorized representatives.~~ As used herein, "Department of Labor" and "Department" shall mean the Illinois Department of Labor, its director, and his/her authorized representatives.

(Source: Emergency amendment at 15 Ill. Reg.16132 , effective October 25, 1991, for a maximum of 150 days.)

Section 250.115 Agriculture
EMERGENCY

As used herein, ~~Agriculture~~ "Agriculture" includes farming in all ~~of~~ its branches and among other things includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural ~~commodities~~ commodity (including commodities defined as agricultural commodities in section 15(g) of the U.S. Agricultural Marketing Act, as amended (7A U.S.C. 1141 et seq.), ~~in the U.S. Agricultural Marketing Act, as amended (7 U.S.C. 1621 et seq.),~~ the raising ~~and caring for~~ of livestock, bees, fur-bearing animals, or poultry, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market, delivery to storage, or to market, or to carriers for transportation to market~~;~~ . ~~but not the operation of processing such commodities and any activities subsequent to such operations.~~ The phrase "incident to or in conjunction with" shall not include construction, by a private contractor, of farm buildings on a farm.

(Source: Emergency amendment at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days).

Section 250.125 Work
EMERGENCY

~~a) All times during which an employed minor is necessarily required to be on the employer's premises, on duty or at a prescribed work place, and~~
~~b) those hours of each day a minor is required to attend school as prescribed by the School Code (Ill. Rev. Stat.~~

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~~1983, ch. 122, pars. 1-1 et seq.)~~
As used herein the word "work" shall mean: all times during which an employed minor is required, permitted, or allowed to be on the employer's premise, or at a prescribed work place.

(Source: Emergency amendment at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days).

Section 250.130 Time Record
EMERGENCY

~~As used herein "time record" shall mean employer maintained documentation of time starting and ending, time out for lunch and time in after lunch, in addition to daily and weekly totals of hours worked.~~

a) Every employer shall make and keep for at least three years, accurate time records for each minor it employs. The following information must be contained in the records:

(1) the name and address of each minor;
(2) the date of birth of each minor;
(3) the starting and ending dates of employment for each minor;
(4) the starting and ending time of each work day for each minor;
(5) the starting and ending time of each meal break for each minor;
(6) the total number of hours worked daily and weekly for each minor.

b) The required records, or duplicate copies thereof, shall be kept at the place of employment or business at which the minor is employed.

c) The required records shall be made available for inspection and transcription by a duly authorized agent of the Department during the regular business hours observed by the employer.

(Source: Emergency amendment at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

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Section 250.135 Premises
EMERGENCY

~~As used herein the word "premises" shall mean a building, including its grounds, or other appurtenances.~~ As used in Sections 6 and 7 of the Act, the word "premises" shall mean a specified employer's buildings, grounds, and appurtenances, but shall not include the designated space of separate and independent employers conducting business under a common roof.

(Source: Emergency amendment at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

Section 250.155 Employer
EMERGENCY

As used herein, "employer" includes any individual, partnership, association, corporation, business trust, enterprise, or any person or group of persons acting directly or indirectly in the interest of an employer in relationship to a minor.

(Source: Emergency rule added at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

Section 250.160 Enterprise
EMERGENCY

For guidance in ascertaining the existence of an enterprise for purposes of the Act, the Department may refer to the Regulations and Interpretations of the Administrator, Wage and Hour Division, U.S. Department of Labor, administering the Fair Labor Standards Act of 1938, as amended. (29 U.S.C. 201 et seq.)

(Source: Emergency rule added at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

Section 250.165 Employed
EMERGENCY

As used herein, the word "employed" shall mean the relationship between a minor and an employer wherein a minor performs services for the benefit of an employer with the actual or implicit knowledge of the employer. The presence of a minor on an employer's premises performing work, shall constitute prima facie evidence of the minor's employment therein. This principle applies equally to an employer that is also a specified minor's family member, except as provided in Section 2 of the Act.

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(Source: Emergency rule added at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

Section 250.170 Permitted or Allowed
EMERGENCY

As used herein the phrase "permitted or allowed" imposes liability on a person who does not directly employ a minor in violation of the Act, but has sufficient control over the employer to discover the illegal employment and sever the employment relationship.

(Source: Emergency rule added at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

Section 250.175 Gainful Occupation
EMERGENCY

As used herein, the phrase "gainful occupation" shall mean any service, trade, business, profession, or calling which a minor pursues with a reasonable expectation of compensation.

(Source: Emergency rule added at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

Section 250.180 Filling Station or Service Station
EMERGENCY

As used in Section 7 of the Act, the phrase "in or about any filling station or service station" shall include those areas used for convenience and/or grocery stores at a filling station or service station.

(Source: Emergency rule added at 15 Ill. Reg.16132 , effective October 25, 1991, for a maximum of 150 days.)

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SUBPART B:
~~DETERMINATION OF THOSE ESTABLISHMENTS AND/OR MINOR EMPLOYEES~~
EMPLOYMENT CONDITIONS
SUBJECT TO THE ACT

Section 250.200 ~~Employer-Employee-Relationship~~
Employers Subject to the Act
EMERGENCY

~~a) The Employer-Employee relationship, required in order for the Child Labor Law to apply, is determined by the inclusion of the minor on the payroll records AND/OR by his or her receiving remuneration. Such remuneration need not be monetary. This principle applies equally to employer/parent — employee/child relationships. The only exemptions granted the parent/employer are provided in Section 2 of the Act.~~

~~b) If "payments" to the individual are irregular, an Employer-Employee relationship is said to exist for all times the individual has worked for that employer not just for periods in which such payments have been made in a given pay period.~~

An employer becomes subject to the Act by the presence of a minor on the employer's premises performing work, or by the inclusion of a minor on the employer's payroll, or by a minor receiving or having a reasonable expectation of receiving compensation from the employer. Such compensation need not be monetary. For purposes of this Section, compensation shall not include provision of food, clothing and shelter by a parent or a legal guardian.

(Source: Emergency amendment at 15 Ill. Reg.16132 , effective October 25, 1991, for a maximum of 150 days.)

SUBPART F:
APPLICABILITY OF THE ILLINOIS
ADMINISTRATIVE PROCEDURE ACT

Section 250.600 ~~Suspension or Revocation of Employment~~
~~Certificates~~ Revocation of Employment
Certificates: Civil Penalty Assessments
EMERGENCY

The provisions of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1977, ch. 127, pars. 1001 et seq.) shall apply ~~for the conduct of hearings and resolution of contested cases involving the~~

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~~suspension or revocation of employment certificates issued under the provisions of Section 9 through Section 12 of the Act.~~ to contested cases involving the revocation of employment certificates under Section 16 and 17 of the Act and the final determination of civil penalties under Sections 17 and 17.3 of the Act.

(Source: Emergency amendment at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

SUBPART G:
HEARING PROCESS

Section 250.700 Procedure and Time Table for Suspension or Revocation of Employment Certificates
EMERGENCY

~~a) The Director and other persons involved in the suspension and revocation of employment certificates shall advise in writing each minor for whom an employment certificate has been suspended of the hearing process.~~

~~b) The minor may within five (5) days of the receipt of the suspension notice request an informal investigatory hearing which shall be conducted at the Chicago or Springfield office of the Department of Labor within twenty one (21) days of the issuance of the suspension notice. If said notice by the minor is not received by the department within the aforementioned five days the suspension shall become a revocation and a final order shall become effective 21 days after the original notice of suspension was issued. If the informal hearing is requested and the problem resolved, the Director shall within five (5) days of the conclusion of the informal hearing issue the final order.~~

~~c) If the informal hearing is requested and held but does not resolve the problem, the minor may within five (5) days of the informal hearing request a formal hearing under the provisions of the Illinois Administrative Procedure Act. The formal hearing shall be conducted at the Chicago or Springfield office of the Department of Labor within twenty one (21) days of the informal hearing.~~

~~d) If said notice by the minor is not received within the aforementioned five days, the revocation shall be final and the Director of Labor shall issue a final order within 21 days after the informal hearing. A final order resulting from the formal hearing shall be issued by the~~

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~~Director within five (5) days of the conclusion of said formal hearing.~~

a) The Department of Labor shall notify all interested parties to an employment certificate suspension pursuant to Section 16 and 17 of the Act of the Department's suspension action and of the Department's hearing procedure to either reinstate or revoke the certificate.

b) A minor may, within 10 days after receipt of a suspension notice, request an informal investigation conference. The request must be mailed to the Department's Chicago office. The Department shall make an initial determination with respect to the legal and factual merits of the minor's request.

c) If the request presents a reasonable issue of law or fact, an informal investigative conference shall be conducted at the Department's Chicago or Springfield office within 21 days of the issuance of the suspension notice. If the request is denied, the Department shall notify the minor of its findings in writing within 10 days.

d) If an informal conference is held, and the matter resolved, the Department shall within 10 days after the conference issue a final order.

e) If an informal investigative conference was requested and held but did not resolve the matter, a minor may make a written request within 10 days after the investigative conference for an administrative hearing pursuant to Section 250.715 of this Part. A request shall be prominently marked "REQUEST FOR ADMINISTRATIVE HEARING ON EMPLOYMENT CERTIFICATE." The Department shall conduct the hearing at its Chicago or Springfield office within 21 days after the informal hearing. The Department shall issue a final order 10 days after the administrative hearing.

f) If a minor does not tender a request for an administrative hearing to the Department within 10 days after an informal investigative conference, the suspension shall become a final order of revocation on the 22nd day after the investigative hearing.

g) As used herein "day" shall refer to a calendar day. If the deadline for a conference or a hearing request falls

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on a week end or a holiday, the minor may tender the request on the next following business day.

(Source: Emergency amendment at 15 Ill. Reg. 16132, effective October 25, 1991, for a maximum of 150 days.)

Section 250.705 Procedure for Child Labor Penalty Assessment
EMERGENCY

a) The Department shall conduct investigations, conferences, or hearings for the purpose of assessing penalties as provided under Section 17 of the Act.

b) When the Department finds, upon evidence resulting from an investigation pursuant to Section 17 of the Act, that an employer has violated the Child Labor Law and/or Regulations, the Department may convene an informal investigative conference for the purpose of obtaining evidence, identifying the issues in dispute, and exploring the possibility of a negotiated settlement. Notice of the conference shall be given to the employer at least 10 days prior thereto and shall identify the individuals requested to attend, along with any books, records or documents the employer must produce at the conference. The Department shall consider the matter resolved in the event a settlement has been reached prior to the conference date.

c) An employer may be accompanied at the informal investigative conference by an attorney, and by a translator if necessary. The employer may bring witnesses to the conference in addition to those whose attendance may be specifically requested by the Department, but the Department employee conducting the conference shall decide which witnesses shall be heard and the order in which they are heard. The Department employee conducting the conference may exclude witnesses and other persons from the conference when they are not giving evidence, except that the employer's counsel, and translator if necessary, may be permitted to remain throughout. The Department employee shall conduct and control the proceedings. No tape recording, stenographic report or other verbatim record of the conference shall be made.

d) If any person becomes disruptive or abusive, the Departmental employee shall exclude the person from the conference and shall continue the conference without the excluded individual.

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e) If the informal investigative conference was held but did not resolve the dispute, a final determination on the amount of civil penalties shall be made in an administrative hearing pursuant to the provisions of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1977, ch. 127, pars. 1001 et seq.) and Section 250.775 of this Part.

(Source: Emergency rule added at 15 Ill. Reg. 16132, effective October 25, 1991, for a maximum of 150 days.)

Section 250.710 Assessing Penalties
EMERGENCY

a) The administrative determination of an amount of civil penalties, not to exceed $5,000 for each violation of the Act and the Regulations, shall be based on the available evidence of the violation(s) and shall consider the size of the employer's business and the gravity of the violation(s).

b) The Department's assessment of civil penalties shall consider the size of the employer's business. The assessment will take into account the number of employees employed by the employer, the gross dollar volume of sales or business done, the employer's capital investments and financial resources, and other information relevant to the size of the employer's business.

c) The Department's assessment of civil penalties shall consider the gravity of the offense(s). The assessment will take into consideration, among other things, any history of prior violations, any evidence of willfulness or failure to take reasonable precautions to avoid violations, the number of minors illegally employed, the age of the minors employed, the absence of employment certificates, the occupations in which the minors were employed, exposure of the minors to hazards and any resultant injury to the minors, the duration of the illegal employment, and, as appropriate, the hours of the day in which it occurred and whether the employment was during or outside school hours. The Department shall not consider an employer's assertion that it was unaware of the Act and/or Regulations as a mitigating factor in determining the gravity of the offense(s).

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d) A determination of civil penalties made in an administrative hearing pursuant to the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1001 et seq.) and Section 250.715 of this part shall be final.

(Source: Emergency rule added at 15 Ill. Reg. 16132 , effective October 25, 1991 for a maximum of 150 days.)

Section 250.715 Procedure For Contested Cases; Suspension or Revocation of Employment Certificates; Final Determinations of Civil Penalties
EMERGENCY

The Department shall conduct administrative hearings for all contested cases involving the revocation of employment certificates and the final determination of civil penalties pursuant to the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1001 et seq.) and to 68 Ill. Adm. Code 680.230.

(Source: Emergency rule added at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

SUBPART H:
AN EMPLOYER SHALL BE CITED FOR
VIOLATIONS OF THE ACT AS FOLLOWS:

Section 250.805 Hours of Work
EMERGENCY

A separate violation of Section 3 of the Act shall be charged for each every instance in which an employer employed, permitted, or allowed a minor employed; to work:

~~a) over eight hours per day;~~
~~b) over three hours on a day school is in session;~~
~~c) between 7 p.m. and 7 a.m. from Labor Day until June 1 or between 9 p.m. and 7 a.m. from June 1 until Labor Day;~~
~~d) for more than six days in a calendar week;~~
~~e) over eight hours per day combined school and work;~~

a) for more than six consecutive days in any calendar week,
b) over 48 hours in any calendar week when school is not in session,
c) over eight hours per day,

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d) between 7 p.m. and 7 a.m. from Labor Day until June 1 or between 9 p.m. and 7 a.m. from June 1 until Labor Day,
e) over three hours on a day school is in session,
f) over eight hours per day combining school and work hours,
g) over twenty-four hours in any calendar week when school is in session.

(Source: Emergency amendment at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

Section 250.820 Time Record
EMERGENCY

a) A violation of Section 6 of the Act shall be charged for each minor employed upon whom the employer has failed to keep a register of name, age and place of residence.
b) A violation of Section 250.500c of ~~the Rules and~~ Regulations of this Part shall be charged for each minor employed upon whom the employer has failed to keep a record of time starting and ending work, time out ~~for lunch~~ and in after ~~lunch~~ meals, and the daily and weekly totals of hours worked.

(Source: Emergency amendment at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

Section 250.825 Hazardous Occupations
EMERGENCY

A violation of Section 7 of the Act AND/OR Section 250.210, 250.215, 250.220, 250.235, AND/OR 250.240 of ~~these Rules and~~ Regulations this Part, as appropriate, shall be charged for each minor employed in a hazardous occupation.

(Source: Emergency amendment at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

Section 250.855 Minors Under Sixteen Appearing in Television or Motion Picture Productions
EMERGENCY

A violation shall be charged under Section 8.1 of the Act for each minor employed:

a) for whom an employment certificate has not been issued,
b) who performs without the presence of the parent or guardian,

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c) who performs in excess of eight (8) hours per day or forty-eight (48) hours per week, except that minors under seven (7) years of age shall not work in excess of six (6) hours per day or thirty-six (36) hours per week,
d) who perform in excess of six (6) days in a week,
e) who works before 6:00 a.m. or after 11:00 p.m. on any day,
f) who fails to attend school or receive educational services as provided by the Illinois School Code,
g) who is not provided with a twelve (12) hour rest break at the end of his or her work day and prior to the commencement of his or her next day of work or school,
h) who is not provided with separate and adequate facilities for rest, schooling, and recreation.

(Source: Emergency rule added at 15 Ill. Reg. 16132 effective October 25, 1991, for a maximum of 150 days.)

Section 250.860 Minors: Athletic or Acrobatic Activity and Stunts EMERGENCY

It shall be a violation of the Act to require a minor performing in any theatrical, television and/or motion picture production to perform any unusual athletic or acrobatic activity or stunts unless the minor and parent or guardian represent that the minor is capable of performing such activity and the parent or guardian gives prior consent in writing. Provided no minor shall be required to work in any hazardous situation which places him or her in a clear and present danger to life or limb, regardless of any parental consent.

(Source: Emergency rule added at 15 Ill. Reg. 16132 , effective October 25, 1991, for a maximum of 150 days.)

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENT

1) The Heading of the Part: DEVELOPMENTAL DISABILITIES SERVICES

2) Code Citation: 89 Ill. Adm. Code 144

3) Section Number: Emergency Action:

144.275 Amendment

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) Effective Date of Emergency Amendment: October 22, 1991

6) If this Emergency Amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire:

7) Date Filed in Agency's Principal Office: October 22, 1991

8) Reason for Emergency: The Department has determined that the health and welfare of persons affected by this rulemaking would be adversely impacted absent its immediate implementation.

9) A Complete Description of the Subjects and Issues Involved: This rulemaking provides for an increase in the rate paid ICF/DD facilities for dental services. This increase results from additional funds being generated by assessment fees. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $500,000 in Fiscal Year 1992.

10) Are there any proposed amendments pending to this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
144.300	New Section	May 17, 1991 (15 Ill. Reg. 7455)
144.325	New Section	May 17, 1991 (15 Ill. Reg. 7455)

11) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

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12) Information and questions regarding this Emergency Amendment shall be directed to:

Name: Daniel Leikvold, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except in Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

The full text of the Emergency Amendment begins on the next page:

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NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 144
DEVELOPMENTAL DISABILITIES SERVICE

Section
144.1 Incorporation by Reference
144.5 Determination of Program (Active Treatment) Costs
144.25 Active Treatment Service Requirements in Residential Facilities for Individuals with Developmental Disabilities
144.50 Inspection of Care (IOC) Review Criteria for the Evaluation of Active Treatment Services in Residential Facilities for Individuals with Developmental Disabilities
144.75 Comprehensive Functional Assessments and Reassessments
144.100 Interdisciplinary Team (IDT)
144.105 Individual Program Plan (IPP)
144.125 Specialized Care - Behavior Development Programs
144.150 Specialized Care - Health and Sensory Disabilities
144.175 Functional Needs
144.200 Service Needs - Medical Care
144.205 Service Needs - Medical and Therapy Services
144.225 Individual Rights
144.250 Discharge Planning/Maximum Growth Potential Plan
144.275 Reimbursement for Program (Active Treatment) Costs in Residential Facilities for Clients with Developmental Disabilities EMERGENCY
144.TABLE A Overview of Staff Intensity Scale of Maladaptive Behaviors
144.TABLE B Staff Intensity Scale
144.TABLE C IPP Outcomes
144.TABLE D Guidelines for Determining Levels of Functioning
144.TABLE E Standardized Adaptive Functional Assessment

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Adopted at 14 Ill. Reg. 4166, effective March 9, 1990; Section 144.275 recodifed from 89 Ill. Adm. Code 146.225 at 14

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Ill. Reg. 7651; amended at 14 Ill. Reg. 17988, effective October 29, 1990; amended at 15 Ill. Reg. 14084, effective September 24, 1991; emergency amendment at 15 Ill. Reg. 16148, effective October 22, 1991, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 144.275 Reimbursement for Program (Active Treatment)
EMERGENCY Costs in Residential Facilities for Clients with Developmental Disabilities

Residential facilities, including distinct parts of facilities, for clients with developmental disabilities (ICF/MR certification with licensure for ICF/DD, ICF/DD-16, SLC, and ICF/MR-SNF/PED license), excluding state operated facilities for individuals with developmental disabilities, will be reimbursed for an active treatment program for each client. Facility program reimbursement levels will be derived from the following four determinants which in combination will result in a total facility program per diem amount. These four determinants will be determined according to information provided in the most recent Inspection of Care (IOC) conducted by Department survey staff. This IOC information must be validated by the survey staff prior to utilization for payment purposes. The new reimbursement level will be effective on the first day of the quarter following a facility's IOC. Where dollar, wage, or salary amounts are used, these shall be inflated to the fiscal year for which reimbursement will be made.

a) Minimum Staffing

1) Direct Services - Facilities must be in compliance with the Health Care Financing Administration's (HCFA) (42 CFR 442.430) minimum average daily staffing standards relative to client population according to each individual's overall level of functioning:

Overall Level of Functioning	FTE* Staff : Client Ratio
Mild	1:5
Moderate	1:2.5
Severe or Profound	1:2

*FTE = Full Time Equivalent

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NOTICE OF EMERGENCY AMENDMENT

Section 144.275 Reimbursement for Program (Active Treatment)
EMERGENCY Costs in Residential Facilities for Clients with Developmental Disabilities (Cont'd)

A) Determination of levels of functioning of clients with mental retardation and related conditions, in accordance with the definition of the American Association of Mental Retardation (Mental Retardation refers to significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period), will include both:

i) an assessment of intellectual functioning as measured by a standardized, full scale, individual intelligence test such as the Stanford Binet and WAIS-R. Such an assessment must be administered by a psychologist who is registered in Illinois under the Illinois Psychological Act (Illinois Department of Professional Regulation); and

ii) an assessment of adaptive behaviors using a nationally standardized, Department approved assessment instrument, such as the Scales of Independent Behavior (SIB) or the Inventory For Client and Agency Planning (ICAP). Such an assessment instrument will be utilized by at least one Qualified Mental Retardation Professional (QMRP) to evaluate each client's functional skills and adaptive behaviors. Facilities wishing to use assessment instruments other than the SIB or ICAP must submit the instrument and a written request for approval to the Chief of the Bureau of Developmental Disability Services.

B) The final determination of each client's overall level of functioning employs both the assessment of intellectual functioning and the assessment of adaptive behaviors,

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Section 144.275 Reimbursement for Program (Active Treatment) Costs in Residential Facilities for Clients with Developmental Disabilities (Cont'd)
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and will be made according to the criteria set forth in Section 144. Table D and Section 144. Table E.

C) The amount for Direct Services for these staffing ratios shall be obtained by:

i) determining the number of clients within each overall level of functioning; dividing each number by the client component of the staff: client ratio; summing these quotients; multiplying the sum by the aide hourly wage factor, and then by 2080 (52 weeks times 40 hours per week), to obtain a total annual Direct Service cost; and dividing this total by 365 days and then by the number of clients to obtain the amount for Direct Services per client per day. For example, if a facility serves 40 clients in the mild level of functioning, 30 clients in the moderate level of functioning, and 30 clients in the severe/profound level of functioning, the number of FTE Direct Services staff will be (40 divided by 5) + (30 divided by 2.5) + (30 divided by 2) = 35. If the aide hourly wage is $5.00, the total annual cost will be 35 x $5 x 2080 = $364,000. The amount for FTE Direct Services per client per day will then be $364,000 divided by 365 divided by 100 = $9.97.

ii) In ICF/DD-16 facilities, the foregoing calculation is modified such that in step 2 of subsection (i) above, the facility may receive an amount for up to an additional .5 FTE. Direct Service is determined by multiplying .5 FTE by the proportion found by the ratio of the number of Medicaid eligible clients in the severe/profound level of functioning divided by the total number of eligible clients.

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2) Licensed Nurses - Facilities must be in compliance with HCFA (42 CFR 483.460) and Illinois Department of Public Health (IDPH)(77 Ill. Adm. Code 350.1230) staffing standards relative to facility type.

A) An ICF/MR (ICF/DD, SLC, SNF/PED but excluding ICF/DD-16) licensed for a population of 90 or fewer clients, none of whom require services under Levels II and III of Specialized Care - Health and Sensory Disabilities (subsection (c)(2)(C) and (D)) will be reimbursed for a minimum of 4.8 FTE nurses. A facility with only such a population which has a licensed capacity greater than 90 clients will be reimbursed for additional FTE nurses according to the following Table:

Licensed Capacity, Client Type	FTE Nurse : Client Ratio
Greater than 90 clients with no Specialized Care - Health and Sensory Disabilities needs under Levels II and III	1:18.75

B) An ICF/MR (ICF/DD, SLC, SNF/PED but excluding ICF/DD-16) licensed for a population of 30 or fewer clients, all of whom require services under Level(s) II and/or III of Specialized Care - Health and Sensory Disabilities will be reimbursed for a minimum of 4.8 FTE nurses. A facility with only such a population which has a licensed capacity greater than 30 clients will be reimbursed for additional FTE nurses according to the following Table:

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Licensed Capacity, Client Type	FTE Nurse : Client Ratio
Greater than 30 clients requiring Specialized Care - Health and Sensory Disabilities under Level(s) II and III	1:6.25

AGENCY NOTE: The Omnibus Reconciliation Act of 1987 (P.L. 100-203) requirements prohibit the admission of individuals with a primary diagnosis of mental retardation into non-ICF/MR facilities. Therefore, SNF/PED facilities which meet ICF/MR certification requirements must be certified ICF/MR in order to comply with federal law when admitting individuals with mental retardation. Facilities which undergo certification conversion to ICF/MR will retain State licensure for skilled care (SNF/PED).

C) An ICF/MR (ICF/DD, SLC, SNF/PED but excluding ~~(~~ICF/DD-16) which has a licensed capacity of 30 clients or more, some of whom require services under Level(s) II and/or III of Specialized Care - Health and Sensory Disabilities, and some of whom do not require such services, will be reimbursed for FTE nurses according to the following Table:

Client Type	FTE Nurse:Client Ratio
Clients requiring Specialized Care - Health and Sensory Disabilities under Level(s) II and/or III	1:6.25

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Client Type	FTE Nurse:Client Ratio
Clients with no Specialized Care needs under Levels II and III	1:18.75

For example, for a facility with a licensed capacity of 90 clients, 30 of whom require services under Level(s) II and/or III, and 60 of whom do not require such services, the number of FTE nurses will be (30 divided by 6.25 = 4.8) + (60 divided by 18.75 = 3.2) = 8. The facility will be reimbursed for 8 FTE nurses.

D) Licensed nurses are not required in an ICF/DD-16 if none of the clients require a physician's medical care plan of treatment.

i) An ICF/DD-16 which has 8 or fewer clients with medical care plans of treatment but who do not require services under Specialized Care - Health and Sensory Disabilities, Level(s) II and/or III, will be reimbursed for .5 FTE nurse. A facility with 9 or more such clients will be reimbursed for one (1) FTE nurse.

ii) An ICF/DD-16 with clients requiring medical care plans of treatment and additional medical services under Specialized Care - Health and Sensory Disabilities, Level(s) II and/or III, will be reimbursed according to the method in subsection (i) above, plus additional reimbursement for licensed nurses using an FTE nurse: client ratio of 1:6.25.

E) The licensed nurse component is computed similarly to the method in subsection

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(a)(1)(C). To determine the amount for Licensed Nurses, the number of FTE nurses required for each facility type and/or for clients receiving services under Specialized Care - Health and Sensory Disabilities, Level(s) II and/or III, shall be obtained according to subsections (a)(2)(A), (B), (C) and (D). This number is multiplied by the hourly nurse wage factor and then by 2080 (52 weeks x 40 hours). The product is divided by 365 and then by the number of clients.

3) The total reimbursement amount for Minimum Staffing is the sum of the amount for Direct Staff plus the amount for Licensed Nurses.

b) Active Treatment

1) Qualified Mental Retardation Professional (QMRP) - a person who has at least one year of experience working directly with persons with mental retardation or other developmental disabilities, and is one of the following:

A) A doctor of medicine or osteopathy.

B) A registered nurse.

C) An individual who holds at least a bachelor's degree in one of the following professional categories: Occupational Therapist; Physical Therapist; Psychologist. Master's Degree: Social Worker; Recreation Specialist; Registered Dietitian; and Human Services, including but not limited to Sociology, Special Education, Rehabilitation Counseling, and Psychology. (42 CFR 483.430)

D) The amount for QMRPs assumes that a full-time QMRP is required for every fifteen (15) clients. The number of QMRPs shall be obtained by dividing the number of clients in the facility by fifteen (15). The

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obtained number of QMRPs is multiplied by the hourly wage factor and then by 2080. The product is divided by 365 and then by the number of clients to arrive at an amount per client per day.

2) Interdisciplinary Team (IDT)

A) The amount for services rendered by the IDT assumes that each client requires one day of IDT services per year. This amount is computed to be $1.82 per client per day.

B) Interdisciplinary Team - A team which represents the professions, disciplines, or service areas that are relevant to identifying the client's needs and designing programs that meet the client's needs. Appropriate facility staff must participate in interdisciplinary team meetings. Participation by other agencies serving the client is required (Section 144.100 and 89 Ill. Adm. Code 140.647). Participation by the client, his or her parent (if the client is a minor), or the client's legal guardian is required unless the participation is unobtainable or inappropriate. (42 CFR 483.440)

3) Additional Direct Service Staff (ADSS)

A) The amount for ADSS assumes an FTE staff: client ratio of 1:7.5. The total number of clients is divided by 7.5, and a per diem amount is obtained according to the method described in subsection (a)(1)(B). In SLC facilities, the foregoing calculation is modified so that the overall level of functioning is distributed proportionately across each living unit (16-18 clients) in Step 1 of the calculation. If dividing the number of clients results in a fraction, it is rounded up to the next whole number in proportion to the number of clients in the

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severe/profound level of functioning. The total FTE is obtained by summing the calculation results from each living unit.

B) Additional Direct Services Staff - Staff which is in addition to HCFA's minimum average daily staffing standards (subsection (a)(1)), and for which the Department will provide reimbursement to ensure the delivery of active treatment. Examples of ADSS include, but are not limited to, staff who provide activity services, dietetic aides, and music therapists.

4) The total reimbursement amount for Active Treatment is the sum of the amounts for QMRP, IDT and ADSS.

c) Specialized Care

An additional amount will be paid for clients meeting the requirements for services under Specialized Care. Detailed descriptions of services under Specialized Care are found in Section 144.125 Specialized Care - Behavior Development Programs, and Section 144.150, Specialized Care - Health and Sensory Disabilities. The service Level for each client meeting the criteria of more than one Level under Specialized Care will be determined according to his/her disability or functional deficit which represents the most intense need for services under Specialized Care, and results in the greatest reimbursement.

1) Specialized Care - Behavior Development Programs

Behavior development programs are related to maladaptive behaviors which occur with high frequency and/or great severity, and are instituted for the reduction of maladaptive behaviors and/or the increase of adaptive behaviors. The behavior development program must demonstrate the need for and use of a more intensive staffing pattern (direct care staff) than the regular pattern which is reimbursed for

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under subsection (a)(1). The service Level for a client who meets the requirements for services under Specialized Care - Behavior Development Programs will be identified and validated during the most recent IOC.

A) Level I - .5 hours FTE Direct Service per day. More intense program services are provided for behaviors which occur with high frequency but moderate severity, such as verbal abuse one or more times per 4 hours which is hostile in tone and content.

B) Level II - 1.0 hours FTE Direct Service per day. More intense program services are provided for behaviors which occur with high frequency and are aggressive or destructive, such as purposeful attacks of others which may result in minimal injuries, one or more times per day.

C) Level III - 2.0 hours FTE Direct Service per day. More intense program services are provided for behaviors which occur with very high frequency such as hyperactivity one or more times per minute, or occur with high frequency and are seriously aggressive, assaultive or destructive and which may result in serious injury.

2) Specialized Care - Health and Sensory Disabilities

Specialized services for health and sensory disabilities refer to care which some clients must receive in order to attain physical health and development.

A) Definitions

i) Ambulatory-The client is capable of walking without assistance or the aid of adaptive equipment or devices.

ii) Mobile Nonambulatory-The client is

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capable of locomotion with mobility assistance such as adaptive equipment or devices.

iii) Nonmobile-The client is not capable of locomotion even with mobility assistance.

B) Level I - .5 hours FTE Direct Service per day. The client is ambulatory, mobile nonambulatory or has the potential to become mobile nonambulatory, and requires services to compensate for a sensory deficit (auditory or visual), or services enabling him/her to be mobile (physical disabilities).

i) Sensory deficits-visual. The client's vision is 20/200 or less in the better eye with the greatest possible correction (Ill. Rev. Stat. 1989, ch. 23, pars. 3332).

ii) Sensory deficits-auditory. The client has a hearing impairment of at least fifty-five (55) decibels in the better ear, unaided (89 Ill. Adm. Code 585.400 (b)(1)(B)).

iii) Physical disabilities means physical impairments which result in functional deficits requiring the client to receive training in the use of a device or devices, to achieve some level of independent mobility.

C) Level II - 1.0 hours FTE Direct Service per day. The client is nonmobile, or mobile nonambulatory, requires mobility assistance, and requires services to meet high personal care needs. The client may also have significant daily medical needs and/or dual sensory deficits (visual and auditory).

i) Mobility assistance means assistance in

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transferring from a bed to an alternative position device, and assistance with movement/mobility around the facility.

ii) High personal care means one or more of the following: assistance with bathing, clothing, grooming and hygiene, eating and continence; position changes at two hour intervals, or as specified in the individual program plan; range of motion twice a day, or as specified in the individual program plan.

iii) Daily medical need means daily insulin injections, drug (insulin) monitoring, and/or ostomy care for a jejunostomy, ileostomy or colostomy.

iv) Dual sensory deficits means both an auditory disability and a visual disability.

AGENCY NOTE: A client who meets the criteria for Level II services is eligible for the FTE nurse: client ratio according to subsection (a)(2)(B), (C) and (D).

D) Level III - 2.0 hours FTE Direct Service per day. The client is typically nonmobile or mobile nonambulatory, but may be ambulatory, and requires services to meet high medical needs. High medical needs mean one or more of the following:

i) daily intermittent catheterization;

ii) care for wounds including stage III and IV decubitus ulcers, deep wounds, infected wounds, extensive burns, or extensive lesions requiring treatment in the form of medications, dressings, whirlpool, ultraviolet light and/or irrigations;

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iii) respiratory care including tracheotomy care, positive pressure breathing treatments, aerosol therapy, postural drainage and precussion, vibration and/or suctioning;

iv) feeding via nasogastric tube, or prolonged oral feeding; and

v) intensive physical habilitation due to a functional deficit as determined by physical or psychological causes.

AGENCY NOTE: A client who meets the criteria for Level III services is eligible for the FTE nurse:client ratio according to subsection (a)(2)(B), (C) and (D).

3) The total reimbursement amount for Specialized Care shall be the sum of the amounts determined under subsection (c)(1) and (2), pro-rated over the number of eligible clients identified in the most recent facility reimbursement survey. For example, if the hourly wage factor is $5.00, assume a facility of 10 residents, two of whom meet the criteria for Specialized Care - Health and Sensory Disabilities Level II (c)(2)(C) with no daily medical needs, or sensory deficits, and eight of whom do not meet Specialized Care criteria. The facility will receive an amount of $.81 per client per day (2 hours x 1.14 (FTE adjustment factor) divided by 8 hours/day = .285 staff; then .285 x (2080 hours/year divided by 365 days/year); then divide by 10 clients and multiply by $5.00 to obtain $0.81).

d) Related Costs

1) An amount per client per day will be paid for other program costs, including program - related supplies, consultants and other items necessary for the delivery of active treatment to clients in accordance with their individual program plans.

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2) For each facility type, this amount will be determined as follows. Add the amounts determined for subsections (a), (b) and (c), but excluding the amount for the IDT (subsection (b)(2)), and then multiply this sum by the facility's Health Service Area (HSA) grouping (89 Ill. Adm. Code 140.Table B and 89 Ill. Adm. Code 140.Table J). The product plus the amount for the IDT (subsection (b)(2)), is then multiplied by a constant for the facility type, as follows:

Facility Type	Constant
ICF/DD	.10
SNF/PED or ICF/DD (An ICF/DD with some clients requiring services under Level(s) II and/or III of Specialized Care - Health and Sensory Disabilities.)	.15
ICF/DD-16 & SLC	.20

3) An ICF/DD with some clients requiring services under Level(s) II and/or III of Specialized Care - Health and Sensory Disabilities, and some clients not requiring such services will have the total related cost calculated according to the weighted sum of the number of clients requiring Level(s) II and/or III multiplied by .15, plus the number of clients not requiring such services multiplied by .10. For example, for a facility with a licensed capacity of 90 clients, 30 of whom require services under Level(s) II and/or III, and 60 of whom do not require such services, the total related cost will be calculated according to subsection (d)(2) for both groups of clients. (That is, subsections (a), (b) and (c) are summed, excluding the amount for the IDT, for clients requiring Level(s) II and/or III and for clients not requiring Level(s) II and /or III. Each sum is multiplied by the facility's HSA grouping, and the products are added to the amount for the IDT.) Each outcome is multiplied by the appropriate constant (the SNF/PED-ICF/DD constant of .15 or the ICF/DD constant of .10),

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and then by the number of clients in each group respectively. The two products are summed and then divided by the total number of clients.

4) An amount will also be paid for dental services which are in compliance with HCFA's regulations (42 CFR 483.460(e)(f)(g)), for each client age 21 or more. Beginning July 1, 1991, ~~This~~ this amount will be determined by adding the flat per diem of ~~$0.16~~ $.30 to the amount calculated according to subsection (d)(2) above. This per diem will cover the costs of prophylaxis treatment up to once every six (6) months, and periodontal services as needed for each eligible client.

e) Total Program Per Diem - Total program per diem for each facility will be the sum of the amounts from subsections (a), (b), (c) and (d).

(Source: Emergency amendment at 15 Ill. Reg. 16148, effective October 22, 1991, for a maximum of 150 days)

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1) The Heading of the Part: HOSPITAL SERVICES

2) Code Citation: 89 Ill. Adm. Code 148

3)

Section Numbers:	Emergency Action:
148.20	Amendment
148.40	Amendment
148.60	Amendment
148.70	Amendment
148.80	Amendment
148.90	Repealed
148.100	Repealed
148.110	Repealed
148.120	Amendment
148.130	Amendment
148.140	Amendment
148.150	Amendment
148.160	Amendment
148.170	Amendment
148.180	Amendment
148.190	Amendment
148.200	Amendment
148.210	Amendment
148.220	Amendment
148.230	Amendment
148.240	Amendment
148.250	Amendment
148.260	Amendment
148.270	Amendment
148.280	Amendment
148.290	Amendment
148.300	Amendment
148.310	Amendment
148.320	Amendment
148.400	New Section

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) Effective Date of Emergency Proposed Amendments: November 1, 1991

6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which they are to expire: Not applicable

7) Date Filed in Agency's Principal Office: November 1, 1991

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8) Reason for Emergency: The Department has determined that the health and welfare of persons affected by this rulemaking would be adversely impacted absent its immediate implementation.

9) A Complete Description of the Subjects and Issues Involved: This rulemaking describes several new reimbursement methodologies for hospitals (Numbers in parentheses indicate the estimated increase resulting from the particular component to the Department's aggregate expenditures to hospitals for Fiscal Year 1992): reimbursement for county-owned and state-owned hospitals in counties with populations over 3 million ($450 million); disproportionate share hospitals (including additional adjustments for targeted access and critical care access hospitals ($18 million); outpatient hospital reimbursement ($20 million); uncompensated care reimbursement methodologies ($65 million); and alternate reimbursement methodologies for hospitals excluded from the Diagnosis Related Grouping Prospective Payment System (DGR PPS) (no increase).

10) Are there any proposed amendments pending to this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
148.340	Amendment	July 26, 1991 (15 Ill. Rg. 10909)
148.360	Amendment	July 26, 1991 (15 Ill. Reg. 10909)
148.370	Amendment	July 26, 1991 (15 Ill. Reg. 10909)
148.380	Amendment	July 26, 1991 (15 Ill. Reg. 10909)
148.390	Amendment	July 26, 1991 (15 Ill. Reg. 10909)

11) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

12) Information and questions regarding these Emergency Aamendments shall be directed to:

Name: Daniel Leikvold, Staff Attorney
Office of the General Counsel

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Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except in Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

The full text of the emergency amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 148
HOSPITAL SERVICES

Section
148.10 Hospital Services
148.20 Participation
EMERGENCY
148.30 General Requirements
148.40 Special Requirements
EMERGENCY
148.50 Covered Hospital Services
148.60 Hospital Services Not Covered
EMERGENCY
148.70 Limitation On Hospital Services
EMERGENCY
148.80 Organ Transplants Services Covered Under Medicaid
EMERGENCY
148.90 Heart Transplants (Repealed)
EMERGENCY
148.100 Liver Transplants (Repealed)
EMERGENCY
148.110 Bone Marrow Transplants (Repealed)
EMERGENCY
148.120 Disproportionate Share Hospital Adjustments
EMERGENCY
148.130 ~~Payment for Inpatient Services for GA~~ Outlier
EMERGENCY Adjustments for Exceptionally Costly Stays
148.140 Hospital Outpatient and Clinic Services
EMERGENCY
148.150 ~~Payment for Hospital Services During Fiscal Year 1982~~
EMERGENCY Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals
148.160 ~~Payment for Hospital Services During Fiscal Year 1983~~
EMERGENCY Payment Methodology for County-Owned Hospitals in a County with a Population of Over 3 Million
148.170 ~~Limits on Length of Stay by Diagnosis~~ Payment
EMERGENCY Methodology for State-Owned Hospitals in a County with a Population of Over 3 Million
148.180 Payment for Pre-operative Days and Services Which
EMERGENCY Can Be Performed in an Outpatient Setting
148.190 Copayments
EMERGENCY
148.200 ~~Payment Methodology~~ Alternate Reimbursement Systems
EMERGENCY

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Section
148.210 ~~Non-Participating Hospitals~~ Filing Cost Reports
EMERGENCY
148.220 Pre ~~July 1, 1989 Services~~ September 1, 1991
EMERGENCY Admissions
148.230 ~~Post June 30, 1989 Services~~ Admissions Occurring on
EMERGENCY or after September 1, 1991
148.240 Prepayment and Utilization Review
EMERGENCY
148.250 ~~Base Year Costs~~ Determination of Alternate Payment
EMERGENCY Rates to Certain Exempt Hospitals
148.260 ~~Restructuring Adjustment~~ Calculation and Definitions
EMERGENCY of Inpatient Per Diem Rates
148.270 ~~Inflation Adjustment~~ Determination of Alternate Cost
EMERGENCY Per Diem Rates For All Hospitals and Payment Rates for Certain Exempt Hospital Units
148.280 ~~Groupings~~ Reimbursement Methodologies for Children's
EMERGENCY Hospitals and Hospitals Reimbursed Under Special Arrangements
148.290 ~~Rate Calculation~~ Adjustments and Reductions to Total
EMERGENCY Payments
148.300 Payment
EMERGENCY
148.310 Review Procedure
EMERGENCY
148.320 Alternatives
EMERGENCY
148.330 Exemptions
148.340 Subacute Alcoholism and Substance Abuse Treatment Services
148.350 Definitions
148.360 Types of Subacute Alcoholism and Substance Abuse Treatment Services
148.370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services
148.376 Utilization, Case-Mix and Discretionary Funds (Repealed)
148.380 Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services
148.390 Hearings
148.400 Special Hospital Reporting Requirements
EMERGENCY

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public

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Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 148.20 Participation
EMERGENCY

Payment for inpatient and outpatient hospital services shall be made only to a hospital and for the following types of care:

a) General/Specialty,

b) Psychiatric,

c) Rehabilitation, and

d) End-Stage Renal Disease Treatment

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.40 Special Requirements
EMERGENCY

a) Approval by Appropriate State Agency to Provide Certain Services. To provide services, other than general in-patient and out-patient services, a hospital must be approved by the appropriate State agency to furnish the following services:

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Section 148.40 Special Requirements (Cont'd)
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~~a)~~ 1) Psychiatric Services

Payment for hospital psychiatric services shall be made only to a hospital that is a general hospital with a functional unit which specializes in, and is enrolled with the Department to provide, psychiatric services or, a hospital which holds a valid license as, and is enrolled with the Department as, a psychiatric hospital. A psychiatric hospital must be accredited by the Joint Commission on the Accreditation of Health Care Organizations to proivde services to program participants under age 21 or be Medicare certified to provide services to program participants age 65 and older. Either the specialized psychiatric unit or the psychiatric hospital must execute an interagency agreement with a DMHDD-operated mental health center for coordination of services, including but not limited to crisis screening and discharge planning to ensure linkage to aftercare services with private practitioners or community mental health services. A participating hospital not enrolled for in-patient psychiatric services may provide psychiatric care as a general in-patient service only on an emergency basis for a maximum period of 72 hours or in cases in which the psychiatric hours or in cases in which the psychiatric services are secondary to the services for which the period of hospitalization is approved.

~~b)~~ 2) Rehabilitation Services

~~1)~~ A) Payment for rehabilitation services shall be made only to a general hospital with a functional unit of the hospital which specializes in, and is enrolled with the Department to provide, physical rehabilitation services or a hospital which holds a valid license as, and is enrolled with the Department as, a physical rehabilitation hospital.

~~2)~~ B) For payment to be made, a rehabilitation facility must be certified by the Health Care Financing Administration for

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Section 148.40 Special Requirements (Cont'd)
EMERGENCY

participation under Medicare Program (Title XIII) and must be licensed and/or certified by the Illinois Department of Public Health to provide comprehensive physical rehabilitation services. Out-of-state hospitals which specialize in physical rehabilitation services must be licensed and/or certified to provide comprehensive physical rehabilitation services by the State's authorized licensing agency. A rehabilitation facility must provide comprehensive coordinated services of specialists in fields of medicine, nursing, physical therapy, occupational therapy, speech therapy, social work, vocational rehabilitation, clinical psychology, orthotics and prosthetics; and have adequate space and equipment to provide comprehensive diagnostic and treatment services; and maintain records of diagnosis, treatment progress at regular intervals, and functional results. The hospital shall provide ~~periodic~~ written reports as required by ~~to the recipient's referring physician with a copy to~~ the Department of Public Aid, ~~as follows:~~

~~A) after the initial evaluation of the recipient,~~

~~B) monthly progress reports, and~~

~~C) a discharge summary.~~

~~3) A decision to deny or approve a request for prior approval will be made within 30 days of the date of the request and needed information is received by the Department. Prior approval is not required for the first 30 days of service.~~

~~e)~~ 3) The Department provides payment to hospitals for End-Stage Renal Disease Treatment (ESRDT) services only when the services are provided as follows:

~~1)~~ A) Inpatient hospital care is provided for the

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Section 148.40 Special Requirements (Cont'd)
EMERGENCY

evaluation and treatment of acute renal disease;

~~2)~~ B) Outpatient chronic renal dialysis treatments are provided in the outpatient renal dialysis department of the hospital and/or in a satellite unit of the hospital, or in a free-standing chronic dialysis center certified by Medicare pursuant to 42 CFR 405, Subparts S and U (1984), and the recipient is approved by the Illinois Department of Public Health (IDPH) as eligible for ESRDT services; or

~~3)~~ C) Home dialysis treatments are provided through the outpatient renal dialysis department of the hospital and/or in a satellite unit of the hospital, or through a free-standing chronic dialysis center certified by Medicare pursuant to 42 CFR 405, Subparts S and U (1984), and the recipient is approved by IDPH as eligible for ESRDT services.

b) Transition to the Diagnosis Related Grouping Prospective Payment System (DRG PPS)

1) Effective with admissions occurring on or after September 1, 1991, hospitals shall be reimbursed in accordance with 89 Ill. Adm. Code 148.160, 148.170, 148.240 through 148.300, or Part 149, as applicable.

2) Hospitals that, on August 31, 1991, had a contract in effect with the Department under the Illinois Health Finance Reform Act (Ill. Rev. Stat. Ch. 23, Par. 6501-1 et seq.) may elect to continue to be reimbursed at rates stated in such contracts for general and specialty care.

3) Effective September 1, 1991, for hospitals located in rural areas, those hospitals that shall be treated as sole community hospitals, as described in 89 Ill. Adm. Code 149.125(b) shall

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Section 148.40 Special Requirements (Cont'd)
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elect one of the following payment methodologies to be used by the Department in reimbursing that hospital for inpatient services:

A) the DRG PPS, as described in 89 Ill. Adm. Code Part 149, or

B) the rate calculated under 89 Ill. Adm. Code Section 148.240 through 148.300.

c) Annual Irrevocable Election

1) The hospital described in subsections (b)(2) and (b)(3) above, may elect to be reimbursed under the special arrangements described in subsections (b)(2) and (b)(3) above on an annual basis.

2) Once a sole community hospital elects to be reimbursed under the DRG PPS, it may not later in that year elect to be classified as exempt. Once a sole community hospital elects to be reimbursed as exempt, it may not later in that year elect to be reimbursed under the DRG PPS. The sole community hospital shall be locked into the reimbursement choice from September 1 through August 30 of the year for which the election was made.

3) Hospitals that, on August 31, 1991, had a contract with the Department under the Illinois Health Finance Reform Act may elect to continue to be reimbursed at rates stated in such contracts for general and specialty care. Once such election has been made, the hospital may not later in that year elect to be reimbursed under any other methodology. The hospital shall be locked into the reimbursement choice from September 1 through August 31 of the year for which the election was made.

4) Hospitals that, on August 31, 1991, had a contract with the Department under the Illinois Health Finance Reform Act and have elected to be reimbursed under the DRG PPS may not later elect to be reimbursed at rates stated in such contracts.

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Section 148.40 Special Requirements (Cont'd)
EMERGENCY

d) Notification of Reimbursement Methodology for Admissions Occurring on or After September 1, 1991

1) Hospitals shall receive notification from the Department with respect to the reimbursement methodologies that shall be in effect for admissions occurring on or after September 1, 1991.

2) Hospitals described in subsection (b)(2) and (b)(3) above shall receive notification of their reimbursement options accompanied by a Choice of Reimbursement form. Each hospital described in subsections (b)(2) and (b)(3) above shall have thirty (30) days from the date of such notification to file, with the Department, the reimbursement method of choice. In the event the Department has not received the hospital's Choice of Reimbursement form within thirty (30) days from the date of notification, as described above, the hospital will automatically be reimbursed under the reimbursement methodology that would have been in effect without benefit of the election described in subsection (c) above.

3) Hospitals meeting specific enrollment criteria as described in subsections (a)(1) and (a)(2) above may enroll to provide such services within thirty days of the notification described in subsection (d)(1) above. Hospitals that request enrollment for Inpatient Psychiatric Services (category of service 21) or Inpatient Physical Rehabilitation Services (category of service 22) within thirty days of the notification described in subsection (d)(1) above shall be enrolled for such service(s) with an effective date of September 1, 1991. Hospitals that do not request enrollment for such service(s) within the time period described above shall not be eligible for retroactive enrollment.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

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Section 148.60 Hospital Services Not Covered
EMERGENCY

Payment for the following services shall not be made to a hospital, even though provided in a hospital.

a) Private Duty Nursing Services

1) Hospitals shall provide all required nursing services. Only in extraordinary instances in which a recipient's condition or the type of care needed requires many more hours of professional nursing service than the hospital can be expected to provide will approval of a private duty nurse, either a registered nurse or a licensed practical nurse, be considered by the Department.

2) Payment for private duty nursing services shall be made only to the nurse and only when prior approval has been given. A decision to approve or deny a request for private duty nursing service shall be made within one day of the date of the request. Written notice of the determination shall be provided within ten days.

b) Sitter Services

1) Sitter services shall be provided only in those rare instances in which the condition of a hospitalized recipient necessitates a sitter to watch at the bedside; and consideration will be given to approval by the Department only in those unusual cases in which hospital staff, volunteers, relatives or friends of the recipient are unable to provide the services.

2) Payment for sitter services shall be made only to the person providing the service and only when prior approval has been given.

c) Nurse Anesthetist Services

Payment for general anesthesia services not reimbursed under 89 Ill. Adm. Code 140.400 shall be made only to hospitals that qualify for these payments under the Medicare Program (Title XIII) and shall be made to such hospitals when provided by a hospital employed nonphysician anesthetist (Certified Registered Nurse

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Section 148.60 Hospital Services Not Covered (Cont'd)
EMERGENCY

Anesthetist or "CRNA") ~~by a nurse anesthetist shall be made only to a certified nurse anesthetist who is not on the staff of the hospital.~~

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.70 Limitation On Hospital Services
EMERGENCY

a) Payment for inpatient hospital care in general and special hospitals shall be made only when it is recommended by a qualified physician, and the care is essential as determined by the appropriate utilization review authority. For hospitals and/or distinct part units reimbursed on a per diem basis under 89 Ill. Adm. Code 148.160 through 148.170 and 148.240 through 148.300, ~~Payment~~ payment shall not exceed the number of days approved for the recipient's care by the appropriate utilization review authority. If Medicare benefits are not paid because of non-approval by the utilization review authority, payment shall not be made on behalf of the Department.

b) ~~Hospitals shall notify the Department of each recipient admission within two (2) calendar days of the admission.~~ For hospitals and/or distinct part units reimbursed on a per case basis, payment for inpatient hospital services shall be made in accordance with 89 Ill. Adm. Code Part 149.

c) For hospitals and/or distinct part units reimbursed on a per diem basis, under 89 Ill. Adm. Code 148.160 through 148.170 and 148.240 through 148.300, ~~Payment~~ payment for in-patient hospital services shall be made based on calendar days. The day of admission shall be counted. The day of discharge shall not be counted. An admission with discharge on the same day shall be counted as one day. If a recipient is admitted, discharged and re-admitted on the same day, only one day shall be counted.

d) In obstetrical cases, payment for services to both the mother and the newborn child shall be made at one per

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Section 148.70 Limitation On Hospital Services (Cont'd)
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diem rate, or one per case rate, whichever is applicable. Only in instances in which the medical condition of the newborn, as certified by the utilization review authority, necessitates care in other than the newborn nursery, shall payment be made in the child's name.

e) Payment for all in-patient psychiatric services is subject to a prepayment review. All prepayment review shall be conducted by the Department's designated peer review agent. Prepayment review shall be used to determine the appropriateness and necessity of the inpatient psychiatric care. Only inpatient psychiatric care medically necessary as determined by a physician licensed to practice medicine in all its branches, will be reimbursed by the Department. The following criteria exemplify the factors which shall be used to determine the medical necessity of inpatient psychiatric care:

1) The patient's condition indicates that he or she suffers from an acute psychological or physiological disorder requiring inpatient hospital intervention (including but not limited to: acute disabling symptoms as a response to bio-psycho-social stress; acute danger to self or others; the medical necessity for interventions possible only in an inpatient hospital setting); and

2) A comprehensive treatment plan has been developed and progress documented for the patient (including, but not limited to: physician's progress notes; participation in medical psychotherapy; assessment of available rehabilitative resources; creation of treatment goals).

f) ~~Payment for physical rehabilitation services shall be made only when prior approval of the Department has been given. If additional time is required for care beyond the period initially approved, it must be authorized in advance by the Department.~~ Payment for transplant costs (with the exception of kidney and

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Section 148.70 Limitation On Hospital Services (Cont'd)
EMERGENCY

cornea transplants), including acquisition costs, shall be made only when provided by an approved transplantation center as described in 89 Ill. Adm. Code 148.80(c) through (h). Payment for kidney and cornea transplant costs does not require enrollment as an approved transplantation center. Payment for kidney acquisition costs does not require enrollment as an approved transplantation center.

g) Payment for end-stage renal disease treatment shall be made only when provided to recipients who have been screened by and meet medical criteria established by the Department of Public Health.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.80 Organ Transplants Services Covered Under Medicaid
EMERGENCY

~~a) Hospital services rendered for transplant procedures under Section 148.80(b) are exempt from the provisions of Section 148.200 through 148.330 of the Department's rules governing hospital reimbursement. Hospital reimbursement for transplants approved pursuant to Section 148.80(b) or Sections 148.90 thru 148.110 will be negotiated between the Department and the hospital with the maximum payment limited to 60% of the hospital's usual and customary charges to the general public for the same procedure. All negotiated rates must be finalized prior to the occurrence of the transplant procedure. The negotiated rate will include all work up, hospitalization costs, and thirty days of follow up care. The negotiated rate will not include transportation and physician fees when reimbursed pursuant to 89 Ill. Adm. Code 140.410 through 140.414 and 89 Ill. Adm. Code 140.490 through 140.492 respectively.~~

~~b) Department approval of the medical necessity and appropriateness of transplant procedures is granted on a case by case prior approval basis by the Department's physician consultants in conjunction with the State Medical Advisory Committee (see Ill. Rev.~~

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Section 148.80 Organ Transplants Services Covered Under Medicaid (Cont'd)
EMERGENCY

~~Stat.-1987,-ch.-23,-par.-12-4.20)-within-thirty-days-of-the-request-for-prior-approval.--(See-89-Ill.-Adm.-Code-140-Table-E).--Transplant-procedures-will-not-be-approved-if:~~

~~1) the-procedure-is-classified-as-experimental-at-this-time-by-the-State-Medical-Advisory-Committee-based-upon-current-reports-from-the-National-Institute-of-Health,-the-Illinois-Department-of-Public-Health's-Experimental-Organ-Transplantation-Procedures-Board,-the-American-Medical-Association's-Council-on-Scientific-Affairs,-as-well-as-current-scientific-literature;~~

~~2) another-procedure-costing-less-or-of-less-risk-will-achieve-the-same-result;~~

~~3) the-transplant-does-not-make-a-difference-in-the-patient's-health-and-performing-the-transplant-will-merely-serve-an-academic-purpose;-or~~

~~4) the-transplant-is-relatively-unsafe-given-the-age-and-prognosis-of-the-individual.~~

a) Introduction

The Department of Public Aid will cover organ transplants as identified under subsection (b) which are provided by certified organ transplant centers which meet the requirements specified in subsections (c) through (h).

b) Covered Services

1) Bone Marrow, heart, or liver transplantation excluding bone marrow searches.

2) Other types of transplant procedures may be covered when a hospital has been certified by the Department as a transplant center eligible to perform such transplants.

3) Medically necessary work-up and evaluation up to three (3) days prior to transplantation.

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Section 148.80 Organ Transplants Services Covered Under Medicaid (Cont'd)
EMERGENCY

c) Certification Process

1) In order to be certified to receive reimbursement for transplants performed on Medicaid patients, the hospital must:

A) Request an application from the Bureau of Hospital Services;

B) Submit a completed application to the Department for the type of transplant for which the center is seeking certification;

C) Meet certification criteria established in subsection (d), based upon review and recommendation of each application by the State Medical Advisory Committee (SMAC); and

D) Submit a detailed status report for all transplants. Such reports must include the date of transplant, the length of hospitalization, charges, survival rates, outcome summaries, and complications (including cause of death, if applicable) for all transplants performed for the two years preceding the date of the application. To protect the privacy of patients included in this report, names of Medicaid and non-Medicaid patients are not required.

2) The Department shall notify the hospital of approval or denial of the hospital as a transplant center for Medicaid eligible patients.

d) Certification Criteria

1) Hospitals seeking certification as a transplant center shall submit documentation to verify that:

A) The hospital is located in the State of Illinois or the city of St. Louis, Missouri;

B) The hospital is a tertiary care hospital capable of providing all necessary medical care required by the transplant patient;

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NOTICE OF EMERGENCY AMENDMENTS

Section 148.80 Organ Transplants Services Covered Under Medicaid (Cont'd)
EMERGENCY

C) The hospital is affiliated with an academic health center;

D) The hospital has had the transplant program in operation for at least three years with fifteen transplant procedures per year for the past two years and fifteen cases before that;

E) The hospital has experts, on staff, in the fields of cardiology, anesthesiology, immunology, infectious disease, nursing, social services, organ procurement, associated surgery and internal medicine to complement the transplant team. In addition, in order to qualify as a transplant center for pediatric patients, the hospital must also have experts in the field of pediatrics;

F) The hospital has an active cardiovascular medical and surgical program as evidenced by the number of cardiac catheterizations, coronary arteriograms and open heart procedures per year for heart transplant candidates;

G) The hospital has pathology resources that are available for studying and reporting the pathological responses for transplantation;

H) The hospital complies with applicable State and Federal laws and regulations;

I) The hospital participates in a recognized national donor procurement program, abides by its rules, and provides the Department with the name of the national organization of which it is a member;

J) The hospital has an interdisciplinary body to determine the suitability of candidates for transplantation;

K) The hospital has blood bank support

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Section 148.80 Organ Transplants Services Covered Under Medicaid (Cont'd)
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necessary to meet the demands of a certified transplant center; and

L) The hospital meets the applicable transplant survival rates;

i) A one-year survival rate of 50 percent for bone marrow transplant patients.

ii) A one-year survival rate of 75 percent and a two-year survival rate of 60 percent for heart transplant patients.

iii) A one-year survival rate of 75 percent and a two-year survival rate of 60 percent for liver transplant patients.

2) The commitment of the hospital to support the transplant center must be at all levels as evidenced by such factors as financial resources, allocation of space, the support of the professional staff for the transplant program and its patients. The hospital must demonstrate that:

A) Component teams are integrated into a comprehensive transplant team with clearly defined leadership and responsibility;

B) The hospital safeguards the rights and privacy of patients;

C) The hospital has adequate patient management plans and protocols to meet the patient and hospital's needs.

3) The hospital must identify, in writing, the director of the transplant program and the members of the team as well as their qualifications. Physician team members must be identified as board certified, in preparation for board certification, or pending board certification, and the transplant coordinator's name must be submitted; and

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Section 148.80 EMERGENCY — Organ Transplants Services Covered Under Medicaid (Cont'd)

4) The hospital must provide patient selection criteria including indications and contraindications for the type of transplant procedure for which the facility is seeking certification.

e) Recertification Process/Criteria

1) The Department will conduct an annual review for certification of transplant centers. A certified center must submit documentation established under sections (c), (d), (f) and (h) for review by the Department's State Medical Advisory Committee for recertification as a transplant center.

2) Survival rates of previous transplant patients must be documented prior to certification.

3) The Department shall notify the hospital of approval or denial of the recertification of the hospital as a transplant center.

f) Notification of Transplant

1) The hospital must notify the Department prior to performance of the transplant procedure.

2) The notification must include the admission diagnosis, pre-transplant diagnosis and the initial work-up summary of medical findings.

3) The Department shall notify the hospital regarding receipt of the notification and provide the appropriate "patient tracking" forms to the hospital.

g) Reimbursement

Hospital services rendered for transplant procedures under this section are exempt from the provisions of Sections 148.240 through 148.330 and Part 149 of the Department's administrative rules governing hospital reimbursement. Hospital reimbursement for transplants

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Section 148.80 EMERGENCY — Organ Transplants Services Covered Under Medicaid (Cont'd)

covered within Section 148.80 is an all-inclusive rate for the admission, regardless of the number of days of care associated with that admission, which is limited to a maximum of 60 percent of the hospital's usual and customary charges to the general public for the same procedure for the number of days listed below for specific types of transplants:

1) Three days of pre-operative inpatient work-up; and,

2) A maximum 30 consecutive days of post-operative inpatient care for heart transplant; or,

3) 40 consecutive days of inpatient care for liver transplant; or,

4) 50 consecutive days of inpatient care for bone marrow transplant; or,

5) For those transplants covered under subsection (b)(2), the number of consecutive days of inpatient care specified within the transplant certification process.

Reimbursement will be approved only when the Department's letter acknowledging the notification of the transplant procedure is attached to the hospital's claim.

The rate will not include transportation and physician fees when reimbursed pursuant to 89 Ill. Adm. Code 140.410 through 140.414 and 89 Ill. Adm. Code 140.490 through 140.492 respectively.

h) Reporting Requirements of Certified Transplant Center

The following documentation must be submitted within the time limits set forth in this subsection.

1) Patient Tracking

A) The center must submit annually a statistical summary including information

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Section 148.80 Organ Transplants Services Covered Under Medicaid (Cont'd)
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for all patients having received transplants at the transplant center. Patients not covered by Medicaid may be identified numerically or by other means identified by the hospital, to protect patient confidentiality. The summary must include, but is not limited to, short and long term outcome on all patients.

B) The discharge summary for each Medicaid patient must be received by the Department within thirty days of the patient's discharge.

C) The annual outcome summaries for each Medicaid patient must be received by the Department within thirty days of the annual patient post-transplant evaluation.

D) For those Medicaid patients who expire, a summary must be received by the Department within thirty days of the patient's death.

2) Notification of Changes

The center must notify the Department within thirty days of any changes in its program including, but not limited to, certification criteria, patient selection criteria, members of the transplant team and the coordinator.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.90 Heart Transplants (Repealed)
EMERGENCY

~~Application for prior approval of a heart transplant should originate from a transplantation center recognized by the Department as a "participating" center; should be submitted only after patient evaluation and a decision by the transplant "team" that patient is a "good" candidate for transplantation.~~

~~a) Criteria for coverage. Services and supplies related to cardiac transplantation will be covered for a beneficiary:~~

~~1) who has an end-stage cardiac disease in irreversible heart failure;~~

~~2) who has not responded to or no longer responds to other appropriate medical and surgical therapies which might be expected to yield both short and long term survival (e.g., 3-5 years) comparable to that of heart transplantation;~~

~~3) who has a very poor prognosis as a result of poor cardiac functional status (e.g., less than a 25 percent likelihood of survival for six months);~~

~~4) for whom plans for long term adherence to a disciplined medical regimen are feasible and realistic;~~

~~5) who has rehabilitation potential with the probability of becoming an active member of society (e.g., is able to participate in activities of daily living); and~~

~~6) who has immediate family members or close friends available to provide support and care during the post transplantation period.~~

~~b) Strongly adverse factors include the following conditions:~~

~~1) Advancing age (because of diminished capacity to withstand postoperative complications). The selection of any patients for transplantation must be done with particular care to ensure a physiologic age capable of withstanding postoperative complications and the absence or insignificance of any coexisting disease as certified by the center.~~

~~2) History of a behavior pattern such as chemical dependency, alcoholism, drug dependency, or psychiatric illness considered likely to interfere with compliance with a disciplined~~

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Section 148.90 Heart Transplants (Repealed) (Cont'd)
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Section 148.90 Heart Transplants (Repealed) (Cont'd)
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medical regimen (because a lifelong medical regimen is necessary, requiring multiple drugs several times a day, with serious consequences in the event of their interruption or excessive consumption);

3) Severe pulmonary hypertension (because of the limited work capacity of the typical donor right ventricle). A pulmonary vascular resistence above 5 Wood units or pulmonary artery systolic pressure over 65 mm Hg is considered to be severe pulmonary hypertension;

4) Renal or hepatic dysfunction not explained by the underlying heart failure and not deemed reversible (because of the nephrotoxicity and hepatotoxicity of cyclosporin);

5) Acute severe hemodynamic compromise prior to transplantation if accompanied by compromise or failure of a vital end organ (because of a substantially less favorable prognosis for survival than for the average transplant recipient);

6) Symptomatic peripheral or cerebrovascular disease (because of accelerated progression in some patients after cardiac transplantation and chronic corticosteroid treatment);

7) Chronic obstructive pulmonary disease or chronic bronchitis (because of poor postoperative course and likelihood of exacerbation of infection with immunosuppression);

8) Active systemic infection (because of the likelihood of exacerbation with initiation of immunosuppression) including Human Immunodeficiency Virus (HIV) positive individuals;

9) Recent and unresolved pulmonary infarction or pulmonary roentgenographic evidence of infection or of abnormalities of unclear etiology (because of the likelihood that this represents pulmonary infection);

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Section 148.90 Heart Transplants (Repealed) (Cont'd)
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10) Systemic hypertension, either at transplantation or prior to development of end stage cardiac disease, that requires multi drug therapy for even moderate control (multidrugs to bring diastolic pressure below 105 mm Hg);

11) Systemic disease considered likely to limit or preclude survival and rehabilitation after transplantation;

12) Cachexia, even in the absence of major end organ failure (because of the significantly less favorable survival of such patients); and

e) Other factors given less adverse weight but still considered as importantly adverse include:

1) Insulin requiring diabetes mellitus (because the diabetes is often accompanied by occult vascular disease and because the diabetes and its complications are exacerbated by chronic corticosteroid therapy);

2) Asymptomatic severe peripheral or cerebrovascular disease (because of accelerated progression in some patients after cardiac transplantation and chronic corticosteroid treatment);

3) Peptic ulcer disease (because of the likelihood of early postoperative exacerbation);

4) Current or recent history of diverticulitis (considered as a source of active infection which may be exacerbated with the initiation of immunosuppressant therapy); and

5) Previous life threatening malignancy unless no clinical evidence of disease for five years.

d) Even though the beneficiary may meet the general criteria for a heart transplant as listed in subsection (a), such a transplant is contraindicated when any of the adverse factors listed in subsections (b) or (c) above are present. Although cases in these groups will not be categorically denied, a second

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Section 148.90 Heart Transplants (Repealed) (Cont'd)
EMERGENCY

medical opinion by a cardiologist or cardiothoracic surgeon must be conducted to ascertain that the transplant is medically appropriate in view of the circumstances.

e) The donor heart should be appropriate for that particular recipient. The use of a donor heart, the long-term effectiveness of which might be compromised by such actions as the use of substantial vasopressors prior to its removal from the donor, its prolonged or compromised maintenance between the time of its removal from the donor and its implantation into the patient, or pre-existing disease.

f) Covered Services for Medicaid Recipients

1) Medically necessary services, including inpatient admission, required to assess a patient's suitability for heart transplantation;

2) Medically necessary services required, including management of complications, of the heart transplantation. Failure of the transplant is considered a complication and retransplantation is covered; and

3) Immunosuppressive therapy.

g) Requirements for Provider Participation

1) Approval by the Illinois Department of Public Health (IDPH) as a heart transplant center (see Sections 1 thru 5 of the Experimental Organ Transplantation Procedures Act, Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 6601 thru 6605 and 77 Ill. Adm. Code 2800.101 thru 2800.501).

2) Approval of heart transplant centers may also be granted based upon Medicare certification as an authorized heart transplant center.

3) Transplant centers not approved by IDPH or Medicare may apply for approval for transplant procedures to the Department if they meet the following specific criteria:

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Section 148.90 Heart Transplants (Repealed) (Cont'd)
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A) The center has experts in the fields of cardiology, cardiovascular surgery, anesthesiology, immunology, infectious disease, nursing, social services, and organ procurement to complement the transplant team;

B) The center has an active cardiovascular medical and surgical program as evidenced by the number of cardiac catheterizations, coronary arteriograms and open heart procedures per year;

C) The center has an anesthesia team that is available at all times;

D) The center has infectious disease services with both the professional skills and the laboratory resources that are needed to discover, identify and manage a whole range of organisms;

E) The center has a nursing service team trained in the hemodynamic support of the patient and also in the special problems of managing immunosuppressed patients;

F) The center has pathology resources that are available for studying and reporting the pathological responses to transplantation;

G) The center has legal counsel familiar with transplantation and regulations;

H) The commitment of the transplant center must be at all levels as evidenced by such factors as financial resources, allocation of space and the support of the professional staff;

I) Physician team members must be on track (i.e., pending or in preparation for board certification) or board certified;

J) Component teams must be integrated into a

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Section 148.90 Heart Transplants (Repealed) (Cont'd)
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~~comprehensive transplant team with clearly defined leadership and responsibility;~~

~~K) The center has the necessary social service resources to allow for assignment to the organ transplant program;~~

~~L) The transplant center must comply with applicable State laws and regulations;~~

~~M) The transplant center must safeguard the rights and privacy of patients;~~

~~N) The transplant center must have adequate patient management plans and protocols to meet the patient and hospital's needs;~~

~~O) The center participates in a donor procurement program and is a member of the Organ Procurement Transplantation Network and abides by its rules;~~

~~P) The center systematically collects and shares data on its transplant program;~~

~~Q) The center has an interdisciplinary body to determine the suitability of candidates for transplantation on an equitable basis;~~

~~R) The center must have blood bank support to meet the demands of the transplant center;~~

~~S) Experience. The center has performed six or more cardiac transplants in each of the two consecutive preceding 12 month periods prior to application and 12 prior to that; and~~

~~T) Survival Rates. The center demonstrates actuarial survival rates of 50 percent for two years for patients and rehabilitation to level of participation in former work and activities in more than 30% who have had heart transplants since January 1, 1982, at that facility.~~

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~~4) Negative decisions on applications may be appealed to the Chief, Bureau of Hospital Services.~~

~~h) Participation approval will lapse if either the number of heart transplants falls below six in 12 months or if the one year survival rate falls below 60 percent based on a consecutive 24 month period.~~

~~i) Provider Participation Procedures. A heart transplant center wishing to be granted approval as a Medicaid approved heart transplantation center, must submit evidence that its heart transplantation program meets the criteria in subsection (f). Requirements for Provider Participation. The request must be submitted to the Bureau of Hospital Services.~~

~~j) Administrative Provider Requirements. The transplant program must provide a written statement agreeing to the following:~~

~~The heart transplant center shall notify the Department of any decrease in the experience level or survival rates and loss of any key members of the transplant team.~~

~~k) Reimbursement. Will be as stated in the facility's Illinois Competitive Access and Reimbursement Equity (ICARE) contract or if an approved facility does not have an ICARE contract, reimbursement will be limited to 60% of the usual and customary charges to the general public for the same procedure. All negotiated rates must be finalized prior to the occurrence of the transplant procedure.~~

(Source: Emergency repealer at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.100 Liver Transplants (Repealed)
EMERGENCY

~~Application for prior approval of a liver transplant should originate from a transplantation center recognized by the Department as a "participating" center; should be submitted~~

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only after patient evaluation and a decision by the transplant "team" that patient is a "good" candidate for transplantation.

a) Criteria for Coverage. Services and supplies related to liver transplantation will be covered for recipients who:

1) are suffering irreversible end-stage liver failure that cannot be managed by conservative measures;

2) have exhausted alternative medical and surgical treatments; and

3) are approaching the terminal phase of their illness (e.g., death is imminent or irreversible damage to the central nervous system is inevitable).

b) Medical indications for liver transplantation:

1) Biliary atresia;

2) Chronic active hepatitis in patients who have almost no chance of survival beyond six months. Indications of progression to a terminal phase include rapidly deepening jaundice, diuretic resistant ascites, spontaneous hepatic encephalopathy, recurrent septicemia and repeated bleeding esophageal varices;

3) Primary biliary cirrhosis in the final stages of liver failure;

4) Certain inborn errors of metabolism which have caused end stage liver damage or irreversible extrahepatic complications, including alpha-1 antitrypsin deficiency in children with Pi-ZZ phenotype and adults with phenotype Pi-ZZ, MZ, or SZ where evidence of hepatic failure is present; Wilson's disease unresponsive to chelation therapy with penicillamine; Crigler-Najjar syndrome, Type I; tyrosinemia; Byler's disease; Wolman's disease; glycogen storage disease, types O and IV; and certain genetic diseases associated

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Section 148.100 Liver Transplants (Repealed) (Cont'd)
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with severe neurological complications, such as hereditary deficiency of urea cycle enzymes and disorders of lactate/pyruvate or amino acid metabolism;

5) Hepatic vein thrombosis (Budd-Chiari syndrome) in patients with severe hepatic decompensation, who have not responded to anticoagulation or appropriate surgery for portal decompression;

6) Primary sclerosing cholangitis when attempts at biliary tract diversion and dilation if appropriate have failed; and

7) Primary hepatic malignancy confined to the liver but not amenable to resection.

c) Contraindications

1) History of a behavior pattern such as chemical dependency, alcoholism or drug dependency or psychiatric illness considered likely to interfere significantly with compliance with a disciplined medical regimen;

2) Malignancies metastasized to or extending beyond the margins of the liver;

3) Viral induced liver disease when viremia is still present;

4) Alcoholic liver disease in patients who develop evidence of progressive liver failure despite appropriate medical treatment and cessation of alcohol abuse; or

5) A previous life threatening malignancy unless no clinical evidence of disease for five years.

6) Active systemic infection (because of the likelihood of exacerbation with initiation of immunosuppression) including HIV positive individuals.

d) Covered Services for Medicaid Recipients. The

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Section 148.100 Liver Transplants (Repealed) (Cont'd)
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following services are covered when provided in relation to liver transplantation:

1) Medically necessary services, including inpatient admission, required to assess a patient's suitability for liver transplantation;

2) All medically necessary services required including management of complications of the liver transplantation, including late infection and rejection episodes. Failure of the transplant is considered a complication and retransplantation is covered; and

3) Immunosuppressive therapy.

e) Requirements for Provider Participation. The transplant center must meet the following requirements:

1) Approval by IDPH as a liver transplant center.

2) Transplant centers not approved by IDPH may apply for approval for transplant procedures to the Department if they meet the following specific criteria:

A) The center is a tertiary care facility affiliated with an academic health center. (A tertiary care facility is a hospital which can provide all medical care required by a patient.) The center has accredited programs in graduate medical education related to the function of liver transplantation such as internal medicine, pediatrics, surgery, and anesthesiology;

B) The center has at least a 50 percent one year survival rate for ten cases. At the time participation is requested, the transplant center must have performed at least ten liver transplants and at least 50 percent of the transplanted patients have survived one year following surgery. The 50 percent one year survival rate for all subsequent liver transplantations performed

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Section 148.100 Liver Transplants (Repealed) (Cont'd)
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is to be maintained for continued participation;

C) The center has an active liver transplantation program;

D) The center has allocated operating room, recovery room, laboratory, and blood bank support and a number of intensive care and general surgical beds and specialized staff for these areas to care for the projected size of the transplantation program;

E) The center participates in a donor procurement program and is a member of the Organ Procurement Transplantation Network and abides by its rules;

F) The center systematically collects and shares data on its transplant program;

G) The center has an interdisciplinary body to determine the suitability of candidates for transplantation on an equitable basis;

H) The transplantation surgeon is specifically trained for liver grafting and must assemble and train a team to function whenever a donor liver is available;

I) The transplantation center has on staff on track or board certified physicians and other experts in the fields of hepatology, pediatrics, infectious disease, nephrology with dialysis capability, pulmonary medicine with respiratory therapy support, pathology, immunology, and anesthesiology to complement a qualified transplant team;

J) The transplantation center has the assistance of appropriate microbiology, clinical chemistry, and radiology support;

K) The transplantation center has blood bank

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support to accommodate normal demands and the transplant procedure;

L) The transplantation center includes the availability of psychiatric and social services support for patients and family; and

M) The transplantation center otherwise meets the requirements for participation by the Department.

3) Negative decisions on applications may be appealed to the Chief, Bureau of Hospital Services.

f) Provider certification procedures. A center wishing to be granted approval as a Department participating liver transplantation center must submit evidence that its liver transplantation program meets the criteria in subsection (e) above. The request must be submitted to the Bureau of Hospital Services.

g) Reimbursement. Will be as stated in the facility's ICARE contract or if an approved facility does not have an ICARE contract, reimbursement will be limited to 60% of the usual and customary charges to the general public for the same procedure. All negotiated rates must be finalized prior to the occurrence of the transplant procedure.

(Source: Emergency repealer at 15 Ill. Reg. 16166 effective November 1, 1991, for a maximum of 150 days)

Section 148.110 Bone Marrow Transplants (Repealed)
EMERGENCY

Application for prior approval of a bone marrow transplant should originate from a transplantation center recognized by the Department as a "participating" center, should be submitted only after patient evaluation and a decision by the transplant "team" that patient is a "good" candidate for transplantation.

a) Criteria for Participation

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Section 148.110 Bone Marrow Transplants (Repealed) (Cont'd)
EMERGENCY

Bone marrow transplantation centers wishing to participate will submit to the Department an application signed by the Chief Medical Officer and the head of the transplant team certifying that the following criteria are met:

1) Careful and appropriate patient selection---- Facility must have written criteria for candidate selection and an implementation plan for their application.

2) Patient management----Facility must have the expertise and commitment for full active participation in the medical, immunological, infectious and pulmonary disease, surgical and anesthesia aspects of the program.

A) The "transplant team", for patient selection and protocol information for the acute and long term management of patients, should be selected from the above professional groups and must be formally organized for the above purposes. It is from this team that an application for prior approval should originate to be transmitted to the Illinois Department of Public Aid.

B) The facility must have designated professional staff from radiology, pathology, psychiatry, nursing and social services to meet their responsibilities under the Transplant Program. Members of this group also may serve on the transplant team.

C) The commitment of the facility to the Transplant Program must be evident at all levels as well as broadly throughout the facility. This includes building space and equipment needed for the program as it develops, pre transplant care, donor and patient, surgical procedures and immediate as well as long term post transplant stages of the program.

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D) The facility must demonstrate experience and success with the clinical transplantation. For recognition as a participating center under the Department, there must be documented at least six such transplantations in the preceding 24 months with actual two-year survival rates of 50 percent or more and rehabilitation to level of participation in former work and activities in more than 30 percent.

E) There must be agreement by the facility to maintain and, when requested, periodically submit summary data, in standard format, about patient selection, and short and long term outcome on all patients, not only those for whom the Department is paying.

3) Applications will be considered by the Department's physician consultants and the State Medical Advisory Committee.

4) Negative decisions on applications may be appealed to the Chief, Bureau of Hospital Services.

b) Description

Allogenic bone marrow transplantation is the aspiration of marrow from a donor and intravenous infusion of the marrow into a recipient.

c) Policy

Allogenic Histo-compatibility antigens (HLA) matching bone marrow transplantation is an authorized therapeutic measure for treatment of the following:

1) Aplastic anemia.

2) Leukemia in remission.

3) Severe combined immunodeficiency, e.g., adenosine deaminase deficiency and idiopathic deficiencies.

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4) Wiskott-Aldrich syndrome.

5) Infantile malignant osteopetrosis (Albers-Schonberg syndrome or marble bone disease).

6) Hodgkins and non-Hodgkins Lymphoma.

d) Exceptions

1) Conditions for which allogenic bone marrow transplantation is not yet proven therapeutic and are not covered are:

A) Thalassemia and other genetic disorders.

B) Sickle cell anemia and other abnormal hemoglobin states.

C) Polycythemia vera.

D) Neuroblastoma.

2) Autogenous (autologous) bone marrow transplantations (within the same individual) are considered experimental or investigational and, therefore, excluded from coverage, except in Hodgkins and non-Hodgkins lymphoma.

e) Contraindications

1) History of a behavior pattern such as chemical dependency, alcoholism or drug dependency or psychiatric illness considered likely to interfere significantly with compliance with a disciplined medical regimen;

2) Chronic obstructive pulmonary disease or chronic bronchitis (because of poor postoperative course and likelihood or exacerbation of infection with immunosuppression);

3) Active systemic infection (because of the likelihood of exacerbation with initiation of

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~~immunosuppression) including HIV positive individuals;~~

~~4) Recent and unresolved pulmonary infarction or pulmonary roentgenographic evidence of infection or of abnormalities of unclear etiology (because of the likelihood that this represents pulmonary infection);~~

~~5) Systemic hypertension, either at transplantation or prior to development of end stage cardiac disease, that requires multi drug therapy for even moderate control (multidrugs to bring diastolic pressure below 105 mm Hg);~~

~~6) Diabetes and other systemic disease considered likely to limit or preclude survival and rehabilitation after transplantation; and~~

~~7) Cachexia, even in the absence of major end organ failure (because of the significantly less favorable survival of such patients).~~

~~f) Reimbursement. Will be as stated in the facility's ICARE contract or if an approved facility does not have an ICARE contract, reimbursement will be limited to 60% of the usual and customary charges to the general public for the same procedure. All negotiated rates must be finalized prior to the occurrence of the transplant procedure.~~

(Source: Emergency repealerat 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.120 Disproportionate Share Hospital Adjustments
EMERGENCY

a) Qualified Disproportionate Share Hospitals. For inpatient services provided on or after July 1, ~~1989~~ 1991, the Department shall make adjustment payments to hospitals which are deemed as disproportionate share by the Department. A hospital may qualify for a disproportionate share adjustment in one of the following ways:

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Section 148.120 Disproportionate Share Hospital Adjustments
EMERGENCY (Cont'd)

1) The hospital's Medicaid inpatient utilization rate, in terms of inpatient days of care provided to Title XIX recipients compared to total inpatient days of care provided, is at least one standard deviation above the mean Medicaid utilization rate. Title XIX specifically excludes General Assistance (GA) and Aid to the Medically Indigent (AMI) days but does include Medicare/Medicaid crossover days. In this paragraph, the term "inpatient day" includes each day in which an individual (including a newborn) is an inpatient in the hospital whether or not the individual is in a specialized ward and whether or not the individual remains in the hospital for lack of suitable placement elsewhere.

2) The hospital's low income utilization rate exceeds 25%. For this alternative, payments for all patient services (not just inpatient) for Medicaid, GA, AMI and/or any local or state government-funded care, must be counted as a percentage of all net patient service revenue. To this percentage, the percentage of total inpatient charges attributable to inpatient charges for charity care (less payments for GA and AMI inpatient hospital services, and/or any local or state government-funded care) must be added.

3) Illinois hospitals that are located in a federally designated Health Manpower Shortage Area (42 CFR 5, 1989) that have a Medicaid inpatient utilization rate, as defined in subsection (a)(1) above, that is at least the mean Medicaid inpatient utilization rate for all hospitals in Illinois receiving medical assistance payments from the Department and which are located in a planning area with one-third or fewer excess beds as determined by the Illinois Health Facilities Planning Board (77 Ill. Adm. Code 1100).

4) Any children's hospital, which means a hospital devoted exclusively to caring for children. A

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Section 148.120 Disproportionate Share Hospital Adjustments
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hospital which includes a facility devoted exclusively to caring for children that is separately licensed as a hospital by a municipality shall be considered a children's hospital to the degree that the hospital's medical assistance care is provided to children.

5) Critical Care Access Hospitals. Critical Care Access Hospitals are hospitals reimbursed under 89 Ill. Adm. Code 148.240 through 148.300 or Part 149 that meet at least one of the following criteria:

A) The hospital is recognized as a Level I trauma center by the Illinois Department of Public Health or by the licensing agency in the State in which the hospital is located if the hospital is located within 50 miles of an Illinois border.

B) The hospital is recognized as a Level II trauma center by the Illinois Department of Public Health and is located in a rural area.

C) The hospital is recognized as a Level II trauma center by the Illinois Department of Public Health and is located in an urban area in a county with no Level I trauma center and provides a disproportionate share of trauma services.

i) For hospitals meeting the criteria in subsection (a)(5)(C) above, a disproportionate share of trauma services shall be calculated by dividing each such hospital's medical assistance trauma admissions by the total medical assistance trauma admissions for such hospitals to arrive at the trauma percentage.

ii) For hospitals meeting the criteria in subsection (a)(5)(C) above that are located in a Health Manpower Shortage

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Area (HMSA), those hospitals with a trauma percentage at or above the mean of the individual facility values determined in subsection (a)(5)(C)(i) above shall be deemed to provide a disproportionate share of trauma services.

iii) For hospitals meeting the criteria in subsection (a)(5)(C) above that are not located in a Health Manpower Shortage Area (HMSA), those hospitals with a trauma percentage that is at least the mean plus one standard deviation of the individual facility values determined in subsection (a)(5)(C)(i) above shall be deemed to provide a disproportionate share of trauma services.

D) The hospital is designated as a Level II perinatal center by the Illinois Department of Public Health, is located in a rural area, and provides a disproportionate share of perinatal services.

i) For hospitals meeting the criteria in subsection (a)(5)(D) above, a disproportionate share of perinatal services shall be calculated by dividing each such hospital's medical assistance perinatal admissions by its total medical assistance admissions to arrive at the perinatal percentage.

ii) For hospitals meeting the criteria in subsection (a)(5)(D) above, those hospitals with a perinatal percentage of 30 percent or above shall be deemed to provide a disproportionate share of perinatal services.

E) The hospital is located in rural area and provides a disproportionate share of obstetrical services.

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i) For hospitals meeting the criteria in subsection (a)(5)(E) above, a disproportionate share of obstetrical services shall be calculated by dividing each such hospital's medical assistance obstetrical admissions by its total medical assistance admissions to arrive at the obstetrical percentage.

ii) For hospitals meeting the criteria in subsection (a)(5)(E) above, those hospitals with an obstetrical percentage of 20 percent or above shall be deemed to provide a disproportionate share of obstetrical services.

b) In addition, to be deemed a disproportionate share hospital, a hospital must provide the Department, in writing, with the names of at least 2 obstetricians with staff privileges at the hospital who have agreed to provide obstetric services to individuals entitled to such services under a State Medicaid plan. In the case of a hospital located in a rural area (that is, an area outside of a Metropolitan Statistical Area, as defined by the Executive Office of Management and Budget), the term "obstetrician" includes any physician with staff privileges at the hospital to perform nonemergency obstetric procedures. This requirement does not apply to a hospital in which the inpatients are predominantly individuals under 18 years of age; or does not offer nonemergency obstetric services as of December 21, 1987. Hospitals that do not offer nonemergency obstetrics to the general public must submit a statement to that effect.

c) In making the determination described in subsection (a)(1) above, the Department ~~will use the hospital's cost reports and the Department's paid claims data for the hospital's base fiscal year (i.e., calendar year 1986 for fiscal year 1989 payments, calendar year 1987 for fiscal year 1990, etc.) for information regarding Illinois Medicaid recipient utilization levels. In addition, hospital statements and verification reports from other states will be required to verify out-of-state Medicaid recipient utilization levels.~~

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Section 148.120 Disproportionate Share Hospital Adjustments
EMERGENCY (Cont'd)

~~Also, a hospital that was the recipient of delegated days and did not receive payment directly from the Department (i.e., the delegating hospital received payment from the Department and then reimbursed the recipient hospital) must submit information to the Department identifying the delegating hospital and documenting that the delegated days were provided by the recipient hospital~~ shall utilize:

1) The hospital's final audited cost report for the hospital's base fiscal year (i.e., Calendar Year 1986 for Fiscal Year 1989 payments, Calendar Year 1987 for Fiscal Year 1990, etc.). Medicaid inpatient utilization rates, as defined in subsection (a)(1) above, which have been derived from final audited cost reports, are not subject to the Review Procedure described in 89 Ill. Adm. Code 148.310, with the exception of errors in calculation.

2) In the absence of a final audited cost report for the hospital's base fiscal year (i.e., Calendar Year 1986 for Fiscal Year 1989 payments, Calendar Year 1987 for Fiscal Year 1990, etc.), the Department shall utilize the hospital's unaudited cost report for the hospital's base fiscal year. Due to the unaudited nature of this information, hospitals shall have the opportunity to submit a corrected cost report for the determination described in subsection (a)(1) above. Submittal of a corrected cost report in support of subsection (a)(1) above must be received no later than June 30th of the state's fiscal year immediately preceding the fiscal year for which the hospital is requesting consideration of such corrected cost report for the determination of disproportionate share qualification (i.e., for the FY'92 determination, a corrected cost report must be received no later than June 30, 1991). Corrected cost reports which are not received in compliance with these time limitations will not be considered for the determination of the hospital's Medicaid inpatient utilization rate as described in subsection (a)(1) above.

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Section 148.120 EMERGENCY — Disproportionate Share Hospital Adjustments (Cont'd)

A) Hospitals' Medicaid inpatient utilization rates, as defined in subsection (a)(1) above, which have been derived from unaudited cost reports, are not subject to the Review Procedure described in 89 Ill. Adm. Code 148.310, with the exception of errors in calculation. Pursuant to subsection (c)(2) above, hospitals shall have the opportunity to submit corrected cost report information prior to the Department's final disproportionate share determination.

B) In the event a subsequent final audited cost report reflects a Medicaid inpatient utilization rate, as described in subsection (a)(1) above, which is lower than the Medicaid inpatient utilization rate derived from the unaudited cost report utilized for the disproportionate share determination, the Department shall recalculate the Medicaid inpatient utilization rate based upon the final audited cost report, and recoup any overpayments made.

3) Certain types of inpatient days of care provided to Title XIX recipients are not available from the cost report, i.e., Medicare/Medicaid crossover claims, out-of-state Title XIX Medicaid utilization levels, and inappropriate level of care days. To obtain Medicaid utilization levels in these instances, the Department shall utilize:

A) Medicare/Medicaid Crossover Claims. The Department will utilize the Department's paid claims data for each hospital's base fiscal year (i.e., Calendar Year 1986 for Fiscal Year 1989 payments, Calendar Year 1987 for Fiscal Year 1990, etc.). Effective with disproportionate share determinations for State Fiscal Year 1992 and after, hospitals may submit additional information to document Medicare/Medicaid crossover days which were not billed to the Department due

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to a determination that the Department had no liability for deductible and/or coinsurance amounts if the reason for such a determination was made because payments made by Medicare and other third parties exceeded the rate that would have been paid under the Medicaid Program.

B) Out-of-State Title XIX Utilization Levels. Hospital statements and verification reports from other states will be required to verify out-of-state Medicaid recipient utilization levels.

C) Inappropriate Level of Care Days. The Department will utilize the Department's paid claims data for each hospital's base fiscal year (i.e., Calendar Year 1986 for Fiscal Year 1989 payments, Calendar Year 1987 for Fiscal Year 1990, etc.).

d) Hospitals ~~not qualifying as~~ may apply for disproportionate share ~~hospitals by the Department under subsection (a)(1), may be considered~~ status under subsection (a)(2) by submitting a certified financial statement.

e) Payments to Participating Out-of-State Hospitals. For purposes of the determination described in subsection (a)(1) above, out-of-state hospitals will be measured in relationship to the mean Medicaid inpatient utilization rate in their state. Out-of-state hospitals which do not qualify by the Medicaid inpatient utilization rate from their state may submit a certified financial statement as described in subsection (d) above. Payments to out-of-state hospitals will be allocated using the same method as described in subsection (g).

f) Time Limitation for Additional Information Requirements. Beginning with state fiscal year 1993 ("FY'93") determinations for disproportionate share, the information required in subsections (a)(2), (b), (c), (d) and (e) and subsection (j)(2)(D) must be

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received no later than June 30th of the state's fiscal year immediately preceding the fiscal year for which the hospital is requesting consideration of such information for the determination of disproportionate share qualification (i.e., for the FY'93 determination, such information must be received no later than June 30, 1992). Information required in this section which is not received in compliance with these limitations will not be considered for the determination of those hospitals qualified for disproportionate share.

e)g) Inpatient Payment Adjustments to Disproportionate Share Hospitals. The adjustment payments required by subsection (a) above shall be calculated annually as follows:

1) Hospitals qualifying as disproportionate share hospitals under subsections (a)(1) and (a)(2) will receive an add-on payment to their inpatient rate. The distribution method is based upon a fund of $5M. All hospitals qualifying under subsection (a)(1) and subsection (a)(2) will receive a five dollar ($5) per day add-on to their current rate. The total cost of this adjustment is calculated by multiplying each hospital's most recent completed fiscal year Medicaid inpatient utilization data by five dollars ($5). The total dollar amount of this calculation is then subtracted from the $5M fund. The remaining fund balance is then distributed to the hospitals that qualify under subsection (a)(1) above in proportion to the percentage by which the hospital's Medicaid inpatient utilization rate exceeds one standard deviation above the State's mean Medicaid inpatient utilization rate. This is done by finding the ratio of each hospital's percent Medicaid utilization to the State's mean plus one standard deviation percent Medicaid value. These ratios are then summed and each hospital's proportion of the total is calculated. These proportional values are then multiplied by each hospital's most recent completed fiscal year paid

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inpatient day values. These weighted values are summed and each hospitals proportion of the summed weighted value is calculated. Each individual hospital's proportional value is then multiplied against the $5M pool of money available after the five dollars ($5) per day base add-on has been subtracted. The total dollar amount calculated for each hospital (plus the initial five dollars ($5) per day add-on amount) is then divided by the inpatient day projections to arrive at per day add-on value. Hospitals qualifying under subsection (a)(2), will receive the minimum adjustment of five dollars ($5) per inpatient day.

2) In addition to the adjustment methodology described in subsection e)(g)(1) above, all disproportionate share hospitals described in subsections (a)(1), (2), (3) and (4) shall receive a payment adjustment which will be calculated annually as follows:

A) The hospital's inpatient payment rate shall be multiplied by .0734, the product which shall then be multiplied by the sum of the following:

i) the hospital's occupancy ratio multiplied by .75;

ii) the hospital's Medicaid inpatient utilization rate; and

iii) the hospital's Medicare utilization differential.

B) For hospitals paid on a per diem basis, The the amount calculated pursuant to subsection e)(g)(2)(A) above shall be added to 20, and this sum plus any applicable amount calculated under subsections e)(g)(1), (h), (i), (j)(2), (k)(2) and (l)(2) shall be the inpatient payment adjustment in dollars for the applicable fiscal year.

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C) For hospitals paid on a per discharge basis, the amount calculated, pursuant to subsection (g)(2)(A) above, shall be added to 20, the sum of which shall be multiplied by the hospital's average length of stay, and this sum plus any applicable amount calculated under subsections (g)(1), (h), (i), (j)(2), (k)(2) and (l)(2) shall be the inpatient payment adjustment in dollars for the applicable fiscal year.

~~f~~)(h) Children's Hospital Inpatient Payment Adjustment. For children's hospitals, as defined in subsection (a)(4), the amount calculated pursuant to subsection ~~(e)~~(g)(2)(A) shall be multiplied by 2.0.

i) County Hospital Inpatient Payment Adjustment. For county hospitals, defined as a county hospital in a county of over 3 million in population, the amount calculated pursuant to subsection (g)(2)(A) above shall be multiplied by 2.75.

j) Targeted Access Inpatient Payment Adjustment.

1) Targeted Access Hospitals (TAP) are defined as hospitals qualifying for disproportionate share under subsections (a)(1), (2), (3) and (4) above, that are reimbursed under 89 Ill. Adm. Code 148.240 through 148.300 or Part 149 and that meet at least one of the following criteria:

A) The hospital is located in an urban area and has 500 or fewer beds as determined by the Illinois Department of Public Health; or

B) The hospital is located in a rural area and has 275 or fewer beds as determined by the Illinois Department of Public Health; or

C) The hospital is a children's hospital as defined in subsection (a)(4) above.

2) Targeted Access Inpatient Payment Adjustments are determined as follows:

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A) Medicaid Percentage Adjustment. Targeted Access Hospitals, as defined in subsection (j)(1) above, shall receive an adjustment based upon their Medicaid inpatient utilization rate as defined in subsection (a)(1) above. Hospitals with a Medicaid inpatient utilization rate of 35% or above shall receive an adjustment of $70.00 per medical assistance admission in the targeted access base year and all other hospitals shall receive an adjustment per medical assistance admission in the targeted access base year which is calculated by dividing the individual hospital's Medicaid inpatient utilization rate by 35% and multiplying the result by $70.00.

B) Obstetrical Care Adjustment. Hospitals defined in subsection (j)(1)(A) and (B) that provide nonemergency obstetrical services and have complied with the requirements of subsection (b) above shall receive an Obstetrical Care Adjustment as follows:

i) an adjustment of $680.00 per medical assistance obstetrical admission in the targeted access base year; and

ii) an additional adjustment, up to $340.00 per medical assistance obstetrical admission in the targeted access base year, based upon the ratio of the hospital's obstetrical admissions provided to the obstetrical admissions provided by all targeted access hospitals (obstetrical percentage). The adjustment shall be calculated by giving the hospital providing the most obstetrical admissions a $340.00 adjustment per medical assistance obstetrical admission in the targeted access base year and all other qualifying hospitals an adjustment equal to the individual hospital's

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medical assistance obstetrical percentage divided by the obstetrical percentage of the hospital with the highest obstetrical percentage, the result of which shall then be multiplied by $340.00.

C) Children's Care Adjustment. All hospitals defined in subsection (j)(1) that provide services to children (defined as under the age of 18 and which excludes obstetrical services) shall receive a Children's Care Adjustment of up to $600.00 per medical assistance children's admission in the targeted access base year. The adjustment shall be calculated by dividing each hospital's medical assistance children's admissions in the targeted access base year by each hospital's total medical assistance admissions in the targeted access base year to arrive at the children's admission percentage. The hospital with the highest percentage of medical assistance children's admissions shall receive an adjustment of $600.00 for each medical assistance children's admission in the targeted access base year and all other qualifying hospitals shall receive an adjustment equal to $600.00 multiplied by the individual hospital's children's admission percentage divided by the children's admission percentage of the hospital with the highest children's admission percentage.

D) Ambulatory Care Network Adjustment. Hospitals defined in subsection (j)(1)(A) and (B) shall complete and submit the Ambulatory Care Network Questionnaire in order to be considered for the Ambulatory Care Network Adjustment. To receive the Ambulatory Care Network Adjustment, eligible hospitals as defined in subsection (j)(1)(A) and (B) shall be required to enter into an agreement with the Department which

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describes in detail their involvements in ambulatory care, and includes commitments to maintain operations.

The Ambulatory Care Network Adjustment shall consist of three (3) possible individual adjustments as follows:

i) Hospitals reporting the following number of physician office visits on the Ambulatory Care Network Questionnaire shall receive the following adjustments per total medical assistance admission in the targeted access base year:

Urban Threshold	Rural Threshold	Adjustment
0 - 9,999	0 - 4,999	$ 00.00
10,000 - 40,000	5,000 - 10,000	$125.00
40,001 - 100,000	10,001 - 50,000	$145.00
100,001 and over	50,001 and over	$165.00

ii) Hospitals qualifying for an adjustment under subsection (j)(2)(D)(i) above shall receive an additional $135.00 per total medical assistance admission in the targeted access base year if they have a formal linkage agreement with City of Chicago Partnerships in Health or Medicaid Partnerships.

iii) Hospitals qualifying for an adjustment under subsection (j)(2)(D)(i) above shall receive an additional $135.00 per total medical assistance admission in the targeted access base year if they have a formal linkage agreement with a Federally Qualified Health Center, a County Health Clinic, or a Rural Health Clinic.

3) Targeted Access Hospitals, as defined in subsection (j)(1) above, shall receive the

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applicable payment adjustment described in subsection (j)(2), in addition to any applicable adjustments described in subsections (g)(1), (g)(2), (h), (i), (k)(2) and (l)(2). The Targeted Access Payment Adjustments shall be paid to eligible hospitals on a quarterly basis.

k) Critical Care Access Inpatient Payment Adjustments

1) Critical Care Access Hospitals are those hospitals meeting one or more of the criteria described in subsection (a)(5) above.

2) Critical Access inpatient payment adjustments are determined as follows:

A) Level I Trauma Adjustment. Hospitals meeting the criteria defined in subsection (a)(5)(A) above shall receive an adjustment of $4,800.00 per medical assistance trauma admission in the critical care access base year.

B) Level II Rural Trauma Adjustment. Hospitals meeting the criteria defined in subsection (a)(5)(B) shall receive an adjustment of $4,700.00 per medical assistance trauma admission in the critical care access base year.

C) Level II Urban Trauma Adjustment. Hospitals meeting the criteria defined in subsection (a)(5)(C) shall receive an adjustment of $4,700.00 per medical assistance trauma admission in the critical care access base year.

D) Level II Rural Perinatal Adjustment. Hospitals meeting the criteria defined in subsection (a)(5)(D) shall receive an adjustment of $825.00 per medical assistance perinatal admission in the critical care access base year.

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E) Rural Obstetrical Adjustment. Hospitals meeting the criteria defined in subsection (a)(5)(E) shall receive an adjustment of $675.00 per medical assistance obstetrical admission in the critical care access base year.

3) Hospitals qualifying as disproportionate share hospitals under subsections (a)(1), (2), (3) and (4) that also qualify as Critical Care Access Hospitals under subsection (a)(5) shall receive the applicable payment adjustments described in subsection (k)(2) in addition to any applicable adjustments described in subsections (g)(1), (g)(2), (h), (i), (j)(2) and (l)(2). The Critical Care Access payment adjustments shall be paid to eligible hospitals on a quarterly basis.

4) Hospitals that qualify as disproportionate share hospitals solely under subsection (a)(5) above shall not be eligible for any adjustments described in subsections (g) through (i). The Critical Care Access payment adjustments shall be in addition to any applicable adjustment described in subsection (l)(2) and shall be paid to eligible hospitals on a quarterly basis.

l) Disproportionate Share Uncompensated Care Payment Adjustment

1) The Department shall make disproportionate share uncompensated care payments to hospitals described in subsections (a)(1) through (a)(5) above that are reimbursed under 89 Ill. Adm. Code 148.170, 148.240 through 148.300 and Part 149.

2) For the period August 1, 1991 through July 31, 1992, the hospital's uncompensated care payment shall be calculated by multiplying the number of Medicaid days provided by the hospital in State Fiscal Year 1990 (and adjusted based upon historical utilization and projected increases in utilization) by $41.70. The hospital has the right to appeal this determination if it believes

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a technical error has been made in the calculation. The appeal must be in writing and must be sent to the Department within 30 days of receipt of the first payment of the uncompensated care payment adjustment.

3) The Uncompensated Care payment adjustments shall be in addition to any applicable adjustments described in subsections (g)(1), (g)(2), (h), (i), (j)(2) and (k)(2) and shall be paid to eligible hospitals on a quarterly basis.

4) As a condition of eligibility for an uncompensated care payment adjustment during the August 1, 1991, uncompensated rate year, each hospital shall submit, on or before December 1, 1991, the following information to the Department for the period August 1, 1990 through July 31, 1991:

A) The dollar amount of uncompensated care charges rendered in the period described above.

B) The dollar amount of charges rendered during this period reimbursed by the Department under General Assistance (Article VI of the Public Aid Code) or Aid to the Medically Indigent (Article VII of the Public Aid Code).

C) The dollar amount of Medicaid charges rendered in the period described above.

D) The dollar amount of total charges for care rendered in the period described above.

5) As a condition of eligibility for an uncompensated care payment adjustment during uncompensated care rate years beginning August 1, 1992, and thereafter, each hospital shall annually submit, on or before October 1 of the uncompensated care rate year, the following information to the Department:

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A) The dollar amount of uncompensated care charges rendered in the previous uncompensated care rate year.

B) The dollar amount of Medicaid charges rendered in the previous uncompensated care rate year.

C) The dollar amount of total charges for care rendered in the previous uncompensated care rate year.

6) The data submitted under (4) and (5) above shall be a certified financial statement for the uncompensated care rate year signed by the chief financial officer or chief executive officer.

7) All hospitals which provided Medicaid days in Fiscal Year 1990 shall be eligible for an uncompensated care payment adjustment for the uncompensated care rate year beginning August 1, 1991, subject to the reporting requirements of (4), (5) and (6) above.

8) A hospital will not be eligible for an uncompensated care payment adjustment under this Section for uncompensated care rate years beginning August 1, 1992, if the data supplied under (4), (5) and (6) above indicates a significant decrease in the level of uncompensated care. This determination will be made by comparing the level of uncompensated care provided in the immediately previous uncompensated care rate year to the level of uncompensated care provided in the base year of August 1, 1990, through July 31, 1991. For purposes of this determination, uncompensated care in the base year of August 1, 1990, through July 31, 1991, shall, in addition to its usual definition, include charges for services reimbursed by the Department under General Assistance (Article VI) and Aid to the Medically Indigent (Article VII). For example, eligibility for a payment for the uncompensated care rate

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year beginning August 1992 shall be subject to a determination that there is not a significant decrease in the level of uncompensated care provided from August 1991 through July 1992 as compared to the level of uncompensated care provided from August 1990 through July 1991.

9) Reimbursement for uncompensated care payment adjustments shall be made on a quarterly basis, payable to the hospital in the quarter following each quarter for which the hospital is entitled to an uncompensated care payment adjustment.

10) All hospitals eligible for an uncompensated care payment adjustment shall be deemed to have met the requirements of Section 5-17 of the Public Aid Code that hospitals provide equal access to available services to low-income persons who are eligible for assistance under Articles V, VI and VII of the Public Aid Code.

~~g~~m) Inpatient Payment Adjustment Definitions. The definitions of terms used with reference to calculation of the inpatient payment adjustments are as follows:

1) "Medicaid inpatient utilization rate" means a fraction, the numerator of which is the number of a hospital's inpatient days provided in a given 12-month period to patients who, for such days, were eligible for Medicaid under Title XIX of the Federal Social Security Act (42 U.S.C. Sec. 1396a et. seq.) and the denominator of which is the total number of the hospital's inpatient days in that same period.

2) "Mean medical assistance inpatient utilization percentage" means the total number of medical assistance inpatient days provided by all Medicaid-participating hospitals divided by the total number of inpatient days provided by those same hospitals.

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3) "Medicare utilization differential" means a hospital's Medicare inpatient utilization percentage minus the mean Medicare inpatient utilization percentage; provided, however, that in no event shall the Medicare utilization differential be less than zero.

4) "Medicare inpatient utilization percentage" means a fraction, the numerator of which is the number of a hospital's inpatient days provided in a given 12-month period to patients who, for such days, were eligible for Medicare under Title XVIII of the federal Social Security Act, and the denominator of which is the total number of the hospital's inpatient days in that same period.

5) "Mean Medicare inpatient utilization percentage" means the total number of Medicare inpatient days provided by all Illinois hospitals divided by the total number of inpatient days provided by those same hospitals.

6) "Occupancy ratio" means a fraction, the numerator of which is the hospital's occupancy rate as determined by the Illinois Department of Public Health and the denominator of which is the mean occupancy rate of:

A) all Illinois hospitals located within Metropolitan Statistical Areas when calculating the occupancy ratio for a hospital located within a Metropolitan Statistical Area; or

B) all Illinois hospitals located outside of Metropolitan Statistical Areas when calculating the occupancy ratio for a hospital located outside of any Metropolitan Statistical Area.

7) "Mean occupancy rate" means the sum of occupancy rates, as determined by the Illinois Department of Public Health, of all hospitals within a category of hospitals described in subsection (g)(6) divided by the total number of hospitals in such category.

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8) "Children's admission" means a claim billed as an admission of an individual under the age of 18, which was subsequently paid by the Department, but excludes those claims billed as admissions with an ICD-9-CM principal diagnosis code within the range of 650 and 669 (indicating an obstetrical admission).

9) "Critical care access base year" means, State Fiscal Year 1990 for critical care access payments calculated for State Fiscal Year 1992; State Fiscal Year 1991 for critical care access payments calculated for State Fiscal Year 1993, etc.

10) "Medicaid charges" means hospital charges for services provided to recipients of medical assistance under Title XIX of the Social Security Act.

11) "Medicaid days" means hospital days billed and reimbursed by the Department for recipients of medical assistance under Title XIX of the Social Security Act.

12) "Obstetrical admission" means a claim billed as an admission, which was subsequently paid by the Department, with an ICD-9-CM principal diagnosis code within the ranges of 650 and 669 which result in childbirth.

13) "Perinatal admission" means those claims billed as admissions, which were subsequently paid by the Department, for infants less than 29 days of age at the time of the admission with an ICD-9-CM diagnosis code within the ranges of 760 through 779 and V30 through V39, and those claims billed as admissions, which were subsequently paid by the Department, related to pregnancy, childbirth and the puerperium with an ICD-9-CM principal diagnosis code within the range of 630 through 676.

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14) "Targeted access base year" means, State Fiscal Year 1990 for targeted access payments calculated for State Fiscal Year 1992; State Fiscal Year 1991 for targeted access payments calculated for State Fiscal Year 1993, etc.

15) "Total charges" means the total amount of a hospital's charges for services it has provided.

16) "Total medical assistance admissions" means the total claims billed as admissions which were subsequently paid by the Department.

17) "Trauma admission" means those claims billed as admissions, which were subsequently paid by the Department, with an ICD-9-CM principal diagnosis code of: 800.0 through 800.99, 801.0 through 801.99, 802.0 through 802.99, 803.0 through 803.99, 804.0 through 804.99, 805.0 through 805.98, 806.0 through 806.99, 807.0 through 807.69, 808.0 through 808.9, 809.0 through 809.1, 828.0 through 828.1, 839.0 through 839.3, 839.7 through 839.9, 850.0 through 850.9, 851.0 through 851.99, 852.0 through 852.59, 853.0 through 853.19, 854.0 through 854.19, 860.0 through 860.5, 861.0 through 861.32, 862.8, 863.0 through 863.99, 864.0 through 864.19, 865.0 through 865.19, 866.0 through 866.13, 867.0 through 867.9, 868.0 through 868.19, 869.0 through 869.1, 887.0 through 887.7, 896.0 through 896.3, 897.0 through 897.7, 900.0 through 900.9, 902.0 through 904.9, 925, 926.8, 929.0 through 929.99, 958.4, 958.5, 990 through 994.99. For those hospitals recognized as Level I trauma centers solely for pediatric trauma cases, trauma admissions are only calculated for the claims billed as admissions, which were subsequently paid by the Department, with ICD-9-CM diagnoses within the above ranges for children under the age of 18.

18) "Uncompensated care charges" for a hospital means:

A) the hospital's charges for services for which the hospital was not reimbursed by

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Section 148.120 Disproportionate Share Hospital Adjustments (Cont'd)
EMERGENCY

either the patient or a third party (including the Department);

B) less:

i) the amount of the hospital's bad debt recoveries for services; and

ii) the hospital's charges attributable to services that it provided without charge or at reduced charges under its obligation under the federal Hill-Burton Act (42 U.S.C. 291 et seq.).

19) "Uncompensated care rate year" means August 1 through July 31 of each year beginning with the August 1, 1991 rate year.

~~h) Payments to Participating Out of State Hospitals.--For purposes of the determination described in subsection (a)(1), out of state hospitals will be measured in relationship to the mean Medicaid inpatient utilization rate in their state.--Out of state hospitals which do not qualify by the Medicaid inpatient utilization rate from their state may submit a certified financial statement as described in subsection (d).--Payments to out of state hospitals will be allocated using the same method as described in subsection (e).~~

~~i) Time Limitation for Additional Information Requirements.--Beginning with state fiscal year 1991 ("FY 91") determinations for disproportionate share, submittal of information required in subsections (a)(2), (b), (c) and (d) must be received no later than June 30th of the state's fiscal year immediately preceding the fiscal year for which the hospital is requesting consideration of such information for the determination of disproportionate share qualification (i.e., for the FY 91 determination, information must be received no later than June 30, 1990).--Information required in subsections (a)(2), (b), (c) and (d) which is not received in compliance with these time limitations will not be considered for the determination of those hospitals qualified for~~

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EMERGENCY

~~disproportionate share payment adjustments.~~

~~j) Outlier Adjustments.--For inpatient services provided on or after July 1, 1989, the Department shall make outlier adjustments to payment amounts for medically necessary inpatient hospital services involving exceptionally high costs for individuals under one year of age, when such services were provided by hospitals defined by the Department as disproportionate share under Section (a)(1) or (a)(2) of this rule.--The Department is not required to provide outlier adjustments for exceptionally long lengths of stay as there are no durational limits on inpatient stays and the Department reimburses the hospital on a per diem or per day basis regardless of the length of stay as long as such stay was medically necessary.--The determination of those services qualified for an outlier adjustment shall be made as follows:~~

~~1) The services must have been provided on or after July 1, 1989, to individuals under one year of age.~~

~~2) The services must have been provided by hospitals defined by the Department as disproportionate share under Sections (a)(1) or (a)(2) of this rule.~~

~~3) Claims with total covered charges equal to or above the mean total covered charges plus one standard deviation shall be considered for outlier adjustments once the following calculations have been performed:~~

~~A) Total covered charges equal to or exceeding one standard deviation above the mean shall be multiplied by the hospital's cost to charge ratio.~~

~~B) The hospital's rate for services provided on the claim shall be multiplied by the number of covered days on the claim.~~

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C) The product of (B) above shall be subtracted from the product of (A) above.

D) The difference of (C) above shall be multiplied by .25, the product of which shall be the outlier adjustment for the claim.

E) Third party liabilities shall be applied to the final payment made on the claim.

k) Definition of terms relating to outlier adjustments are as follows:

1) "Total covered charges" means the amount entered on the UB-82 Uniform Billing Form for revenue code 001 in column 53 (Total Charges), minus the amount in column 54 (Non-Covered Charges) for revenue code 001.

2) "Mean total covered charges" means the mean total covered charges (as described in (1) above) for all claims for inpatient services provided by the hospital to individuals under the age of one in the previous state fiscal year which have been paid by the Department.

3) "Cost to Charge Ratio" means the hospital's Medicaid total allowable cost for all care divided by the Medicaid total covered charges for all care. The Cost to Charge Ratio is derived by utilizing cost report data from the hospital's base fiscal year (i.e., calender year 1987 for fiscal year 1990 payments, calender year 1988 for fiscal year 1991 payments, etc.).

4) "Rate for services provided" means the inpatient rate in effect for the type of services provided.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

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Section 148.130 Payment for Inpatient Services for GA Outlier Adjustments for Exceptionally Costly Stays
EMERGENCY

a) Non participating out of state hospitals (out of state hospitals providing fewer than 200 Illinois Medical Assistance days annually and not filing an Illinois Medicaid cost report) shall be paid by the Department by computing an average rate paid to Illinois hospitals and adjusting this amount for differing wage costs and differing costs associated with teaching hospitals subject to a limit of $500.00 per admission for inpatient services provided during the period July 1, 1983, through December 31, 1984. Inpatient services provided on or after January 1, 1985, shall be reimbursed according to provisions of Section 148.210.

b) Reimbursement to participating hospitals for claims for services provided prior to July 1, 1983, will be calculated and paid in accordance with the administative rules effective at the time the service was rendered.

c) Reimbursement to participating hospitals for inpatient services provided during the period beginning July 1, 1983, and ending December 31, 1984, shall be calculated and paid according to provisions of Sections 148.240 - 148.330 subject to a limit of $500.00 per admission.

d) For GA clients residing in the City of Chicago, reimbursement to participating hospitals for inpatient services shall be in accordance with the Illinois Competitive Access and Reimbursement Equity (ICARE) Program, 89 Ill. Adm. Code 149.5 through 149.325.

e) For GA clients residing outside the City of Chicago, reimbursement to participating hospitals for inpatient services shall be at the rate determined under ICARE for hospitals with an ICARE contract. However, if a hospital's ICARE rate would be less than the rate calculated under Sections 148.240 148.330, then that higher rate shall be utilized from the effective date of this Rule until the next ICARE contracting period for that area. If a hospital does not have an ICARE Contract, reimbursement to participating hospitals for-

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Section 148.130 EMERGENCY — ~~Payment for Inpatient Services for GA~~ Outlier Adjustments for Exceptionally Costly Stays (Cont'd)

~~inpatient services shall be calculated and paid according to the provision of Sections 148.240-148.330.~~

a) Outlier Adjustments. For inpatient services provided July 1, 1989 through June 30, 1991, the Department shall make outlier adjustments to payment amounts for medically necessary inpatient hospital services involving exceptionally high costs for individuals under one year of age, when such services were provided by hospitals defined by the Department as disproportionate share under 89 Ill. Adm. Code 148.120(a)(1) through (a)(4). For inpatient services provided on or after July 1, 1991, the Department shall make outlier adjustments to payment amounts for medically necessary inpatient hospital services involving exceptionally high costs for infants who have not attained the age of one (1) year, and to children who have not attained the age of six (6) years and who receive such services in a disproportionate share hospital described in 89 Ill. Adm. Code 148.120(a)(1) through (a)(5). The Department is not required to provide outlier adjustments for exceptionally long lengths of stay as there are no durational limits on inpatient stays and the Department reimburses the hospital on a per diem or per day basis regardless of the length of stay as long as such stay was medically necessary.

b) The determination of those services qualified for an outlier adjustment shall be made as follows for the period July 1, 1989 through June 30, 1991:

1) The services must have been provided on or after July 1, 1989, to individuals under one year of age.

2) The services must have been provided by hospitals defined by the Department as disproportionate share under 89 Ill. Adm. Code Sections 148.120(a)(1) through (a)(4).

3) Claims with total covered charges equal to or above the mean total covered charges plus one

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Section 148.130 EMERGENCY — ~~Payment for Inpatient Services for GA~~ Outlier Adjustments for Exceptionally Costly Stays (Cont'd)

standard deviation shall be considered for outlier adjustments once the following calculations have been performed:

A) Total covered charges equal to or exceeding one standard deviation above the mean shall be multiplied by the hospital's cost to charge ratio.

B) The hospital's rate for services provided on the claim shall be multiplied by the number of covered days on the claim.

C) The product of (B) above shall be subtracted from the product of (A) above.

D) The difference of (C) above shall be multiplied by .25, the product of which shall be the outlier adjustment for the claim.

E) Third party payments (credits) shall be applied to the final payment made on the claim.

d) The determination of those services qualified for an outlier adjustment shall be made as follows for admissions September 1, 1991 and after for hospitals and/or distinct part units reimbursed on a per diem basis:

1) The admission must have occurred on or after September 1, 1991; and

2) The services must have been provided to:

A) children who have not attained the age of six (6) years by hospitals defined by the Department as disproportionate share under 89 Ill. Adm. Code Section 148.120(a)(1) through (a)(5); or

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Section 148.130 ~~Payment for Inpatient Services for GA~~ Outlier Adjustments for Exceptionally Costly Stays (Cont'd)
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B) infants who have not attained the age of one (1) year by hospitals that do not meet the definition of disproportionate share under 89 Ill. Adm. Code Section 148.120(a)(1) through (a)(5).

3) Claims with total covered charges equal to or above the mean total covered charges plus one standard deviation shall be considered for outlier adjustments once the following calculations have been performed:

A) Total covered charges equal to or exceeding one standard deviation above the mean shall be multiplied by the hospital's cost to charge ratio.

B) The hospital's rate for services provided on the claim shall be multiplied by the number of covered days on the claim.

C) The product of (B) above shall be subtracted from the product of (A) above.

D) The difference of (C) above shall be multiplied by .25, the product of which shall be the outlier adjustment for the claim.

E) Third party payments (credits) shall be applied to the final payment made on the claim.

e) The determination of those services qualified for an outlier adjustment shall be made in accordance with 89 Ill. Adm. Code 149.105 for hospitals reimbursed on a per case basis.

f) Definition of terms relating to outlier adjustments are as follows:

1) "Total covered charges" means the amount entered on the UB-82 Uniform Billing Form for revenue

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code 001 in column 53 (Total Charges), minus the amount in column 54 (Non-Covered Charges) for revenue code 001.

2) "Mean total covered charges" means the mean total covered charges (as described in (1) above) for all claims for inpatient services provided by the hospital to individuals under the age of one in the previous state fiscal year which have been paid by the Department.

3) "Cost to Charge Ratio" means the hospital's Medicaid total allowable cost for all care divided by the Medicaid total covered charges for all care. The Cost of Charge Ratio is derived by utilizing cost report data from the hospital's base fiscal year (i.e., calendar year 1988 for fiscal year 1990 payments, calendar year 1988 for fiscal year 1991 payments, etc.).

4) "Rate for services provided" means the inpatient rate in effect for the type of services provided.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.140 Hospital Outpatient and Clinic Services
EMERGENCY

a) Reimbursement for hospital outpatient and clinic services shall be made on a fee for service basis, except for those services that meet the definition of the Hospital Ambulatory Care Program as described in subsection (a)(3) and except as described in subsection (b) for ESRDT Services and subsection (c) for encounter rate hospitals.

1) Reimbursement levels shall be at the lower of the hospital's usual and customary charge to the public or the Department's statewide maximum reimbursement screens. Hospitals will be required to bill the Department utilizing

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EMERGENCY (Cont'd)

specific service codes. However, all specific client coverage policies (relating to client eligibility and scope of services available to those clients) which pertain to the service billed are applicable to hospitals in the same manner as to non-hospital providers who bill fee for service.

2) Reimbursement for the fee codes established July 1, 1983, and implemented through March 31, 1986, for procedures performed in a hospital setting will be calculated and paid in accordance with the statutes and administrative rules governing the time period in question.

3) ~~Effective--April 1, 1986, additional fee~~ Fee codes ~~were~~ have been established for outpatient procedures performed in a hospital setting and are updated periodically. Procedures are grouped and reimbursed according to whether they are high level technology surgical procedures or other procedures, whether they are provided by major teaching or other hospitals, and according to the category of service under which they are provided and billed. High Level Technology Surgical Procedures are those which either require general or spinal anesthesia or require any two of the following three criteria: the use of special equipment, a major surgical pack as opposed to a minor surgical pack, or longer than one hour of surgical time. High level technology surgeries will be reimbursed at the lower of actual charges or ~~that~~ the hospital's ~~inpatient contract~~ alternate reimbursement rate (as described in 89 Ill. Adm. Code 148.270(a)) ~~(per diem rate for non-contracting hospitals)~~ equivalent to the rate of a one day inpatient stay. Other ambulatory surgical, specialized cardiac and diagnostic procedures are reimbursed at the lower of actual charges or the Department's designated payment maximum. Two groupings are used to establish the State maximums - major teaching and other hospitals. A major teaching hospital is one having four or more graduate medical education

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programs - accredited by the American Medical Association, the American Dental Association or the American Osteopathic Association. The specialized treatment procedures, high risk and emergency room visits are reimbursed ~~according to fiscal year 1986 payment methodology~~ at the lesser of charges or a set rate maximum, or one of two separate rate maximums depending upon whether the hospital is classified as major teaching or other hospital, or whether the services is provided in the outpatient or general clinic department, or whether the service is provided in a hospital's psychiatric or physical rehabilitation clinic. Certain high level technology services recognized and approved by the Department as safe outpatient procedures are reimbursed in a category separate from other specialized cardiac procedures and diagnostic procedures. This special category currently includes the following procedures: Magnetic Resonance Imaging (MRI), Computerized Axial Tomography (Cat Scan), and Cardiac Catheterization and is reimbursed at the lesser of charges or a set maximum depending on whether the hospital is classified as a major teaching or other hospital.

4) A list of restricted inpatient procedures pursuant to Section 148.180(b) ~~is~~ has been established and is updated periodically. These restricted inpatient ~~those~~ procedures will only be reimbursed when performed outside the inpatient setting or when the hospital supplies justification for an inpatient admission that meets Departmental established criteria. These criteria include, but are not limited to:

A) Presence of medical conditions which make prolonged post-operative observations by a nurse or skilled medical personnel a necessity (e.g., heart disease, severe diabetes).

B) An unrelated procedure is being done simultaneously which itself requires surgical hospitalization.

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EMERGENCY (Cont'd)

C) The patient is unable to comprehend and/or follow the necessary instruction both prior to and following the procedure due to mental and/or physical impairment, and this would result in inadequate treatment and place the patient at risk.

D) Emergency admission or recent onset of severe symptoms would prohibit safely performing the procedure on an outpatient basis (e.g., bleeding, severe pain, nausea, vomiting).

E) Admission occurs subsequent to the performance of the procedure on an outpatient basis due to conditions such as:

i) instability of vital signs

ii) respiratory distress greater than existed pre-operatively

iii) post-operative pain not relieved by oral medication

iv) uncontrolled bleeding

v) lack of state of consciousness appropriate to age and development

vi) presence of persistent nausea or vomiting

vii) inability to ambulate consistent with age, previous mobility status and/or procedure.

~~5) Reimbursement levels for additional fee codes that are eligible for payment pursuant to subsections (a)(3) and (4) will be at the lower of the hospital's actual charge or the Department's designated payment maximum. This payment shall be considered full and final payment for those procedures performed.~~

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Section 148.140 Hospital Outpatient and Clinic Services
EMERGENCY (Cont'd)

b) Payment for outpatient end-stage renal disease treatment (ESRDT) services provided pursuant to Section 148.40~~(e)(1)~~(a)(3) shall be made at the Department's payment rates, as follows:

1) For inpatient hospital services services provided pursuant to 148.40~~(e)(1)~~(a)(3)(A), the Department shall reimburse hospitals pursuant to Sections ~~148.200~~148.240 through ~~148.330~~148.300 and 89 Ill. Adm. Code 149.

2) For outpatient services or home dialysis treatments provided pursuant to Section 148.40~~(e)(2)~~(a)(3)(B) or ~~(3)~~(C), the Department will reimburse hospitals and clinics for ESRDT services at a rate which will reimburse the provider for the dialysis treatment and all related supplies and equipment, as defined in 42 CFR 405.231(o) (1984). This rate will be that rate established by Medicare pursuant to 42 CFR 405.439 and 405.441 (1989).

3) Payment for non-routine services. For services which are provided during outpatient or home dialysis treatment pursuant to Section 148.40~~(e)(2)~~(a)(3)(B) or ~~(3)~~(C) but are not defined as a routine service under 42 CFR 405.231(o) (1989), separate payment will be made to independent laboratories, pharmacies, and medical supply providers pursuant to 89 Ill. Adm. Code 140.430 through 140.434, 140.440 through 140.450, and 140.475 through 140.481, respectively.

4) Payment for physician services relating to ESRDT will be made separately to physicians, pursuant to 89 Ill. Adm. Code 140.400.

c) Reimbursement for hospital outpatient and clinic services provided by an encounter rate hospital on or after July 1, 1990, shall be made on an encounter rate basis.

1) Reimbursement levels shall be at ~~the lower of~~ the encounter rate hospital's ~~all inclusive charge as~~

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Section 148.140 Hospital Outpatient and Clinic Services
EMERGENCY (Cont'd)

~~shown on the claim of the Department's encounter hospital specific reimbursement~~ cost per encounter rate for each of the procedure groups described in subsection (a)(3) and by the category of service as reported on a financial statement audited by an independent Certified Public Accountant. A Medicaid cost report detailing outpatient costs must be filed with the Department in accordance with the provisions that regulate the filing of hospital inpatient Medicare cost reports. These cost reports shall be used to calculate a cost based rate. Encounter rate hospitals will be required to bill the Department utilizing all-inclusive service codes. However, all specific client coverage policies (relating to client eligibility and scope of services available to those clients) which pertain to the service billed are applicable to encounter rate hospitals in the same manner as to non-hospital and hospital providers who bill fee-for-service.

2) Reimbursement for the fee codes defined in subsection (a)(3) for encounter rate hospitals will be reimbursed at the Department's rate calculated in subsection (c)(1) above.

3) An encounter rate hospital is defined as an Illinois ~~public~~ county-owned or state-owned hospital~~:~~

~~A)~~ located in a city with population exceeding 1 million~~;~~, and

~~B) which provided and was paid for 85,000 days or more of inpatient hospital care to recipients of medical assistance during state fiscal year 1989.~~

4) Inpatient restricted procedures as provided in subsection (a)(4) shall apply to encounter rate hospitals.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

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NOTICE OF EMERGENCY AMENDMENTS

Section 148.150 ~~Payment for Hospital Services During Fiscal Year 1982~~ Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals
EMERGENCY

~~a) Reimbursement for hospital services which are payable from the Fiscal Year (FY) 1982 appropriation shall equal $843 million.~~

~~b) Reimbursement for services provided prior to October 1, 1981 and payable from the FY 1982 appropriation shall be calculated and paid according to the methodology in effect at the time the service was rendered.~~

~~c) Reimbursement for services provided after September 30, 1981, and payable from the FY 1982 appropriation shall be calculated and paid as follows:~~

~~1) The total amount available for payment for these hospital services from the FY 1982 appropriation shall be determined by subtracting, from the appropriation amount ($843 million), the following:~~

~~A) the estimated amount for payments for services provided prior to October 1, 1981 and payable from the FY 1982 appropriation,~~

~~B) the estimated amount for payments for reconciliations normally payable during FY 1982,~~

~~C) the estimated amount for payment for cross over claims (days for which both Medicare and Medicaid will pay),~~

~~D) the estimated amount for payments for non-hospital encounter rate clinics and,~~

~~E) an amount ($6.5 million) to be set aside for payments to hospitals pursuant to subsection (f) below.~~

~~2) A) The FY 1982 expected inpatient days, outpatient department visits and clinic visits for each individual hospital will be estimated. Each hospital will be notified~~

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NOTICE OF EMERGENCY AMENDMENTS

Section 148.150 Payment for Hospital Services During Fiscal Year 1982 Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals (Cont'd)
EMERGENCY

of an initial estimate which will be based on the hospital's utilization experience during FY 1981. Each hospital may request (within seven days) that the initial estimate be revised because of changes which it anticipates in services to public aid clients during FY 1982. The Department will compare the total utilization for all of the hospitals' estimates to the Department's total estimated utilization for FY 1982. If the difference between the two estimates is less than 3%, the Department will use the individual hospital's estimates of FY 1982 utilization. If the difference is greater than 3%, the Department will calculate each hospital's expected utilization by multiplying the hospital's FY 1981 utilization experience times the ratio of expected statewide FY 1982 utilization to the statewide FY 1981 utilization.

B) For new or significantly restructured hospitals for which FY 1981 data are not available, the Department will use the hospital's estimate of utilization modified as necessary according to experience with hospitals of similar size, location and service intensity.

3) A) An updated FY 1982 rate shall be calculated for each hospital. The updated rate is the hospital's final rate from its audited fiscal 1979 cost report updated from the midpoint of its fiscal 1979 cost report year to January 1, 1981 according to the index and methodology of the Data Resources Inc. national market basket price proxies, hospital inpatient general routine operating costs (DRI). Each hospital's updated rate will be equal to the final rate from its audited FY 1979 cost report, multiplied by the January 1, 1981 DRI and divided by the

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Section 148.150 Payment for Hospital Services During Fiscal Year 1982 Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals (Cont'd)
EMERGENCY

DRI for the midpoint of the hospital's FY 1979.

B) For new hospitals for which FY 1979 data are not available, the Department will use the most recent cost report on file for the hospital. If the hospital has not filed a cost report, the Department will use the hospital's estimate of rates, modified as necessary according to experience with hospitals of similar size, location and service intensity.

C) Hospitals which have significantly restructured since filing their FY 1979 cost report may submit a request, with supporting documentation, that the Department use more recent data. The request must be submitted no later than 30 days after the date the hospital is notified of its rate. The documentation submitted must indicate that the restructuring changes were mandated to meet state, federal or local health and safety standards; that the restructuring added or deleted at least 10 beds or 10% of the hospital's total bed capacity (whichever is less) or added or deleted a service category and that the hospital received a certificate of need; or that the hospital made other changes for which it received a certificate of need and that the changes required an expenditure of at least $150,000 and was of the type which must be capitalized according to normal accounting principles. Decisions on these requests shall be made within 60 days of receipt by the Department.

4) Anticipated payments to each hospital shall be calculated by multiplying the hospital's expected utilization times its updated rate. If the total of the anticipated payments for all hospitals exceeds the amount available, an adjusted rate

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NOTICE OF EMERGENCY AMENDMENTS

Section 148.150 EMERGENCY — ~~Payment for Hospital Services During Fiscal Year 1982~~ Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals (Cont'd)

~~shall be calculated for each hospital by multiplying its updated rate times a percentage equal to the ratio of the total amount available under section 1 to the total anticipated payments, so that the payments do not exceed the limit.~~

~~5) A) If a hospital's proportion of medicaid days, as reported on the hospital's most recent cost report on file with the Department as of November 15, 1981, is greater than 25%,~~

~~B) The rate established by subsection (e)(4) above shall be increased by an amount equal to the product of:~~

~~i) the "percentage of reduction" (which is the difference between one (1.0) and the percentage established by operation of subsection (e)(4) above), multiplied by~~

~~ii) 3% for each percentage of medicaid utilization between 25% and 35% and by an additional 1% for each percentage of medicaid utilization greater than 35%.~~

~~C) If the estimated statewide savings produced by reducing the rates in subsection (e)(4) is less than 75% of the total amount to be saved by application of subsections (e)(3) and (e)(4), this rate shall be increased further so that any savings produced by calculation of the updated rate is reduced by the same factor as in (b).~~

~~6) The rates calculated in subsections (e)(4) and (e)(5) then shall be multiplied by the same percentage so as to establish rates which, when multiplied by the expected utilization, will produce anticipated expenditures equal to the amount available under subsection (e)(1).~~

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NOTICE OF EMERGENCY AMENDMENTS

Section 148.150 EMERGENCY — ~~Payment for Hospital Services During Fiscal Year 1982~~ Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals (Cont'd)

~~7) A hospital may submit notice of any errors in the calculation of the rate to the Department within seven days of the date the hospital receives notice of the FY 1982 rate.~~

~~d) Hospitals must continue to submit claims for payment to the Department on a timely basis. The Department shall monitor the hospital's billing practices and audit as necessary to ensure the reduced expenditures reflect actual savings not delayed billings. If a hospital's billing pattern for FY 1982 varies from its FY 1981 billing pattern, the Department may consider that those bills which would have been submitted during FY 1982 if the hospital's billing pattern had not changed were submitted during FY 1982. Payment for bills considered submitted during FY 1982 will be calculated and made in accordance with this rule.~~

~~e) If at any time a hospital's utilization in FY 1982 exceeds its expected FY 1982 utilization (as calculated in subsection (e)(2) above), the Department may stop payment for the additional days/visits provided during fiscal year 1982. A hospital's utilization limits for inpatient days, outpatient department visits or clinic visits shall be revised upon a hospital's request, provided that the total payment to be made to that hospital for services during FY 1982 does not change. A hospital that stops receiving payment subsequently may receive additional payment under subsection (g).~~

~~f) 1) Hospitals may request special consideration if implementation of this rule would create an extreme financial hardship and:~~

~~A) at least 65% of the hospital's total inpatient days, as reported on the most recent cost report, were reimbursed under medicare, medicaid, general assistance, and aid to the medically indigent;~~

~~B) at least 20% of the hospital's total inpatient days, as reported on the most-~~

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Section 148.150 EMERGENCY — ~~Payment for Hospital Services During Fiscal Year 1982~~ Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals (Cont'd)

~~recent cost report, were reimbursed by Medicaid;~~

~~G) the hospital will be unable to satisfy its reasonable and necessary cash flow requirements, based on accurate projections, as a result of the payment methodology described in this Section.~~

~~2) Any requests for special consideration must be submitted no later than 30 days after the date the hospital is notified of its rate.~~

~~3) The following documentation must be submitted with all requests for hardship consideration:~~

~~A) The most recent audited financial statement;~~

~~B) Any other financial and legal documents as would be necessary to establish that insufficient funds are legally available to meet cash flow requirements.~~

~~4) This documentation should include the following information for July 1, 1981 through June 30, 1982:~~

~~A) Cash flow statement,~~

~~B) Revenue from non hospital services,~~

~~C) Contributions,~~

~~D) Funded depreciation,~~

~~E) Unrestricted funds,~~

~~F) Grants~~

~~5) The Department will appoint a special advisory panel consisting of 5 members experienced in hospital financial matters.--The panel shall review all requests and may ask for additional~~

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Section 148.150 EMERGENCY — ~~Payment for Hospital Services During Fiscal Year 1982~~ Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals (Cont'd)

~~documentation or information as necessary in order to recommend to the Department that special hardship consideration be granted or denied.--Decisions on these requests shall be made within 60 days of receipt by the Department.~~

~~6) Hospitals eligible for special consideration under this Section will receive an increase in their FY 1982 rates up to a maximum total increased payments for all hospitals of up to $6.5 million.---The relief shall be based on the lesser of the amount of the hospital's unmet cash flow requirements or the amount of the hospital's reduction in Medicaid reimbursement as a result of this rule.--The rate increase shall be calculated by dividing the amount of the relief for the hospital by the expected units of service between September 30, 1981, and July 1, 1982.~~

~~g) If reimbursement for hospital services which are payable from the FY 1982 appropriation is less than $843 million, the Department shall increase payments to each hospital for these services prior to September 15, 1982.--If during FY 1982, the Department's review of expenditures for hospital services indicates that the fiscal year expenditures will be less than $843 million, the utilization limits for a hospital under subsection (e) may be revised or rates established under subsection (e) may be increased.--Any funds remaining after payment of all claims payable from the FY 1982 appropriation, will be distributed to hospitals which stopped receiving payment under subsection (e) because they exceeded their expected days/visits as a result of circumstances clearly beyond the hospital's control, such as increased referrals from other hospitals.--The remainder of the $843 million will be apportioned among inpatient, outpatient, and clinic services according to the proportion of the Department's spending among these services in FY 1982.--These funds will then be distributed among hospitals according to each hospital's proportionate share of the Department's spending for services provided during FY 1982 and~~

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Section 148.150 EMERGENCY — ~~Payment for Hospital Services During Fiscal Year 1982~~ Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals (Cont'd)

~~payable during FY 1982.~~

~~h) In no case may a hospital's rates be at a level which would produce reimbursement in excess of the amount the hospital would receive under the Medicare principles of reimbursement in effect during the period covered by this rule.~~

~~i) Payments to hospitals for services provided after June 30, 1981 and payable from the FY 1982 appropriation shall be reconciled to each hospital's actual allowable costs, in accordance with Department rules, provided that:~~

~~1) the total amount expended for all reconciliations during FY 1983 shall not exceed $84 million,~~

~~2) no portion of the estimated FY 1982 $106 million savings shall be considered a reconcilable cost, and~~

~~3) the total amount expended for reconciliations for services provided between July 1, 1981 and June 30, 1982 shall not exceed $88 million.~~

~~j) While this Section is in effect, none of the following shall apply: --copayments for hospital outpatient and clinic services; copayments for physician's services; dollar limits for inpatient hospital services related to selected surgical procedures; the requirement that certain surgical procedures, when medically appropriate, not be performed on an inpatient basis; and limits on preoperative days for inpatient surgery or diagnostic testing.~~

~~k) 1) The provisions of this rule shall be in effect during FY 1982 for so long as the Director of the Department finds that:~~

~~A) The total number of hospitals agreeing to be reimbursed pursuant to the provisions of this rule is sufficient to assure that medical assistance recipients have reasonable access to hospital services.~~

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Section 148.150 EMERGENCY — ~~Payment for Hospital Services During Fiscal Year 1982~~ Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals (Cont'd)

~~B) The provisions are approved by the Department of Health and Human Services in the State Title XIX Plan.~~

~~C) The Department has not been enjoined, restrained or otherwise delayed or prohibited by Court order or actions of entities other than the Department from enforcing the provisions.~~

~~2) If any of the conditions in subsection (k)(1) fail to occur, limitations in subsection (j) shall be enforced and alternative service coverage and reimbursement limitations shall be implemented to assure that payments for hospital services during FY 1982 will be approximately the same as would have been made under this rule.~~

~~l) Hospitals may be exempted from the provisions of this rule if they submit an alternative methodology which is acceptable to the Director and results in an expenditure which does not exceed the expenditure to be made under this rule.~~

a) The Department shall make uncompensated care payments to hospitals that do not qualify for disproportionate share under 89 Ill. Adm. Code Sections 148.120(a)(1) through (a)(5) that are reimbursed under 89 Ill. Adm. Code 148.170, 148.240 through 148.300 or Part 149.

b) For the period August 1, 1991 through July 31, 1992, the hospital's uncompensated care payment shall be calculated by multiplying the number of Medicaid days provided by the hospital in State Fiscal Year 1990 (and adjusted based upon historical utilization and projected increases in utilization) by $41.70. The hospital has the right to appeal this determination if it believes a technical error has been made in the calculation. The appeal must be in writing and must be sent to the Department within 30 days of receipt of the first payment of the uncompensated care payment adjustment.

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Section 148.150 EMERGENCY ~~Payment for Hospital Services During Fiscal Year 1982~~ Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals (Cont'd)

c) The Uncompensated Care payment adjustments shall be in addition to any applicable adjustments described in subsections (g)(1), (g)(2), (h), (i), (j)(2) and (k)(2) and shall be paid to eligible hospitals on a quarterly basis.

d) As a condition of eligibility for an uncompensated care payment adjustment during the August 1, 1991, uncompensated rate year, each hospital shall submit, on or before December 1, 1991, the following information to the Department for the period August 1, 1990 through July 31, 1991:

1) The dollar amount of uncompensated care charges rendered in the period described above.

2) The dollar amount of charges rendered during this period reimbursed by the Department under General Assistance (Article VI of the Public Aid Code) or Aid to the Medically Indigent (Article VII of the Public Aid Code).

3) The dollar amount of Medicaid charges rendered in the period described above.

4) The dollar amount of total charges for care rendered in the period described above.

e) As a condition of eligibility for an uncompensated care payment adjustment during uncompensated care rate years beginning August 1, 1992, and thereafter, each hospital shall annually submit, on or before October 1 of the uncompensated care rate year, the following information to the Department:

1) The dollar amount of uncompensated care charges rendered in the previous uncompensated care rate year.

2) The dollar amount of Medicaid charges rendered in the previous uncompensated care rate year.

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Section 148.150 EMERGENCY ~~Payment for Hospital Services During Fiscal Year 1982~~ Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals (Cont'd)

3) The dollar amount of total charges for care rendered in the previous uncompensated care rate year.

f) The data submitted under (d) and (e) above shall be a certified financial statement for the uncompensated care rate year signed by the chief financial officer or chief executive officer.

g) All hospitals which provided Medicaid days in Fiscal Year 1990 shall be eligible for an uncompensated care payment adjustment for the uncompensated care rate year beginning August 1, 1991, subject to the reporting requirements of (d), (e) and (f) above.

h) A hospital will not be eligible for an uncompensated care payment adjustment under this Section for uncompensated care rate years beginning August 1, 1992, if the data supplied under (d), (e) and (f) above indicates a significant decrease in the level of uncompensated care. This determination will be made by comparing the level of uncompensated care provided in the immediately previous uncompensated care rate year to the level of uncompensated care provided in the base year of August 1, 1990, through July 31, 1991. For purposes of this determination, uncompensated care in the base year of August 1, 1990, through July 31, 1991, shall, in addition to its usual definition, include charges for services reimbursed by the Department under General Assistance (Article VI) and Aid to the Medically Indigent (Article VII). For example, eligibility for a payment for the uncompensated care rate year beginning August 1992 shall be subject to a determination that there is not a significant decrease in the level of uncompensated care provided from August 1991 through July 1992 as compared to the level of uncompensated care provided from August 1990 through July 1991.

i) Reimbursement for uncompensated care payment adjustments shall be made on a quarterly basis, payable to the hospital in the quarter following each quarter for which the hospital is entitled to an uncompensated care payment adjustment.

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Section 148.150 EMERGENCY ~~Payment for Hospital Services During Fiscal Year 1982~~ Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals (Cont'd)

i) All hospitals eligible for an uncompensated care payment adjustment shall be deemed to have met the requirements of Section 5-17 of the Public Aid Code that hospitals provide equal access to available services to low-income persons who are eligible for assistance under Articles V, VI and VII of the Public Aid Code.

k) Definitions

1) "Medicaid charges" means hospital charges for services provided to recipients of medical assistance under Title XIX of the Social Security Act.

2) "Medicaid Days" means hospital days reimbursed by the Department for recipients of medical assistance under Title XIX of the Social Security Act.

3) "Total charges" means the total amount of a hospital's charges for services it has provided.

4) "Uncompensated care charges" for a hospital means:

A) the hospital's charges for services for which the hospital was not reimbursed by either the patient or a third party (including the Department);

B) less:

i) the amount of the hospital's bad debt recoveries for services; and

ii) the hospital's charges attributable to services that if provided without charge or at reduced charges under its obligation under the federal Hill-Burton Act (42 U.S.C. 291 et seq.).

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Section 148.150 EMERGENCY ~~Payment for Hospital Services During Fiscal Year 1982~~ Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals (Cont'd)

5) "Uncompensated care rate year" means August 1 through July 31 of each year beginning with August 1, 1991 rate year.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.160 EMERGENCY ~~Payment for Hospital Services During Fiscal Year 1983~~ Payment Methodology for County-Owned Hospitals in a County with a Population of Over 3 Million

~~Inpatient, outpatient and clinic services~~

~~a) Reimbursement for hospital services which are payable from the fiscal year 1983 appropriation shall not exceed the amount appropriated for hospital expenditures.~~

~~b) Reimbursement for claims for services provided after October 1, 1981 and prior to July 1, 1982 shall be paid at the interim rates calculated in accordance with Section 148.150. These payments shall be reconciled in accordance with provisions in Section 148.150.~~

~~c) Reimbursement for services provided on or after July 1, 1982 and payable from the fiscal year 1983 appropriation shall be calculated and paid as follows:~~

~~1) The total amount available for payment for these hospital services from the fiscal year 1983 appropriation shall be determined by subtracting from the appropriation amount the following:~~

~~A) an amount ($84 million) for payments for reconciliations normally payable during fiscal year 1983;~~

~~B) an estimated amount for payments for non-hospital encounter rate clinics;~~

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Section 148.160 Payment for Hospital Services During Fiscal Year 1983 Payment Methodology for County-Owned Hospitals in a County with a Population of Over 3 Million (Cont'd)
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~~C)~~ ~~an estimated amount for payments for Medicare cross over claims (hospital services which are reimbursed by Medicare for which Medicaid pays the coinsurance and deductible amounts);~~

~~D)~~ ~~an estimated amount for interim payments for services provided prior to July 1, 1982; and,~~

~~E)~~ ~~an amount (15.5 million) to provide relief for certain hospitals which experience financial hardship because they serve a disproportionate number of low income patients or Medicare patients (under subsection (e) of this Section) and to adjust rates for certain hospitals which have significantly restructured since filing their base year cost report (under subsection (f) of this Section).~~

~~2)~~ ~~Fiscal year 1983 inpatient days, outpatient department visits and clinic visits for each hospital will be estimated in accordance with Section 148.170. This estimate will be the total allowable covered service units for the hospital.~~

~~3)~~ ~~A)~~ ~~An updated rate will be calculated for each hospital, using the hospital's most recent cost report on file with the State or the fiscal intermediary on December 31, 1981.~~

~~B)~~ ~~The updated rate is the hospital's computed rate from its base year cost report updated from the midpoint of the year to January 1, 1983 according to the index and methodology of the Data Resources Inc. national market basket price proxies, hospital inpatient general routine operating costs (DRI).~~

~~C)~~ ~~If the cost report used as a basis for the rate calculation under this section is subsequently audited and adjusted, the hospital's rate will be recalculated using the computed rate after audit. For any claims which have been processed, the Department will make adjustments to payments.~~

~~D)~~ ~~For new hospitals for which a cost report is not on file, the Department will use the hospital's estimate of rates, adjusted as necessary according to experience with hospitals of similar size, location and service intensity.~~

~~4)~~ ~~Expected payments to each participating hospital shall be calculated by multiplying its expected number of inpatient days, outpatient department visits and clinic visits (estimated in subsection (e)(2)) by the inpatient per diem, outpatient department per visit rate and clinic per visit rate (calculated in subsection (e)(3)).~~

~~5)~~ ~~If the total of the expected payments for all participating hospitals (under subsection (e)(4) exceeds the amount available (under subsection (e)(1), the rates shall be adjusted so that expenditures do not exceed the limit.~~

~~6)~~ ~~The ratio of the total amount available (under subsection (e)(1) above to the total expected payments (under subsection (e)(4) above) will be calculated and that ratio will be multiplied by each hospital's updated rate to determine the adjusted rate for inpatient, outpatient and clinic services.~~

~~7)~~ ~~To provide special relief to hospitals serving a disproportionately high volume of Medicaid patients, the rate established by subsection (e)(6) will be increased by an amount equal to 3% of the reduction for each percent of Medicaid utilization between 25% and 35% Medicaid, plus 1% for each 1% over 35% Medicaid. To determine a hospital's proportion of medicaid days, the hospital's cost report on file with the Department as of March 1, 1982, will be used.~~

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Section 148.160 EMERGENCY — ~~Payment for Hospital Services During Fiscal Year 1983~~ Payment Methodology for County-Owned Hospitals in a County with a Population of Over 3 Million (Cont'd)

~~8) To assure that total expected payments do not exceed the amount available, the rates calculated in (e)(6) and (e)(7) will be multiplied by the ratio of the total amount available to total expected payments (at rates under subsections (e)(6) and (e)(7) above). This shall be the hospital's interim rate for inpatient days and outpatient department and clinic visits.~~

~~d) Hospitals shall be notified of their rates for fiscal year 1983 and shall have an opportunity to request a review of the rates for:~~

~~1) errors in calculating the rate (such a request must be submitted to the Department within 14 days of the date of the Department's notice to the Hospitals of the rates);~~

~~2) severe cash flow problems in accordance with section (e). (such a request must be submitted within 45 days of the date of the notice of the documentation requirements);~~

~~3) significant restructuring since filing the base year cost report in accordance with section (f). (such a request must be submitted within 45 days of the date of the notice of the documentation requirements).~~

~~e) 1) Any hospital that serves a disproportionate number of low income and Medicare patients and which has insufficient funds available to meet its reasonable and necessary cash flow requirements as a result of this payment methodology may request special consideration.~~

~~2) The following documentation must be submitted with all requests for hardship consideration:~~

~~A) The most recent audited financial statement;~~

~~B) An estimated financial statement for June 30, 1982;~~

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Section 148.160 EMERGENCY — ~~Payment for Hospital Services During Fiscal Year 1983~~ Payment Methodology for County-Owned Hospitals in a County with a Population of Over 3 Million (Cont'd)

~~C) Any other financial and legal documents as would be necessary to establish that insufficient funds are legally available to meet cash flow requirements, including the following information for July 1, 1982 through June 30, 1983:~~

~~i) projected monthly cash flow statement;~~

~~ii) projected income statement;~~

~~iii) projected balance sheet;~~

~~iv) projected statement of changes in fund balance;~~

~~v) projected statement of changes in financial position;~~

~~vi) fiscal year 1982 budget;~~

~~D) These documents must address revenue from non hospital services, contributions, funded depreciation, unrestricted funds, and grants;~~

~~E) Any documentation requested by the panel reviewing the request which is necessary to establish eligibility;~~

~~F) Any cost report which has been filed by the hospital after March 1, 1982, but before September 1, 1982, which the hospital wants the Department to consider which shows the hospital's percentage medicare, medicaid, GA or AMI;~~

~~G) Any documentation which the hospital wants the Department to consider which shows what amount of the hospital's unmet cash flow requirement has been caused by this reimbursement methodology;~~

~~3) The Department will appoint a special advisory~~

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Section 148.160 EMERGENCY — ~~Payment for Hospital Services During Fiscal Year 1983~~ Payment Methodology for County-Owned Hospitals in a County with a Population of Over 3 Million (Cont'd)

~~panel consisting of individuals experienced in hospital administration and governance and hospital finance. The panel shall review all requests and may ask for additional documentation or information as necessary to recommend to the Department that hardship relief be granted or denied.~~

~~4) To qualify, a hospital must serve a disproportionate number of low income and medicare patients and have insufficient funds available to meet its reasonable and necessary cash flow requirements. Hospitals which qualify will receive an increase to their rate calculated in section e above, based on the lesser of the hospital's unmet cash flow requirements or the amount of reduction in reimbursement under this rate methodology. For any claims for services rendered after June 30, 1982, which have been processed by the Department prior to the date the rate change under this subsection is implemented, a cash payment shall be made by the Department for the rate difference for those services.~~

~~f) Hospitals which have significantly restructured since filing their base year cost report may submit a request, with supporting documentation, that the Department use more recent data.~~

~~1) To qualify, the documentation submitted must indicate:~~

~~A) that the restructuring changes were mandated to meet state, federal or local health and safety standards; or,~~

~~B) that the restructuring added or deleted at least 10 beds or 10% of the hospital's total bed capacity (whichever is less), or added or deleted a service category (as defined in the Illinois Health Facilities Planning Act (IHFPA)), and that the hospital received a certificate of need; or,~~

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~~C) that the hospital made other capital changes for which it received a certificate of need; and~~

~~D) that its unit costs have risen by at least one percent as a direct result of mandated changes to meet Federal, State or local health and safety standards under subsection (f)(1)(A); or that its unit costs have risen by at least five percent as a direct result of significant changes in physical plant or other changes under subsection (f)(1)(A), (B), and/or (C). To establish the percentage unit cost increase, the unit costs attributable to restructuring for the given time period will be divided by the total unit costs for the same time period~~

~~2) Hospitals which qualify will have their base year unit costs adjusted and their interim rate recalculated. For any claims for services rendered after June 30, 1982, which have been processed by the Department prior to the date the rate change under this subsection is implemented, a cash payment shall be made by the Department for the rate difference for those services.~~

~~g) If the 15.5 million relief fund is inadequate to satisfy the valid claims of all hospitals, the funds shall be distributed as follows:~~

~~1) First to hospitals experiencing financial hardship which~~

~~A) Have at least 65% of their total inpatient days reimbursed under Medicare, Medicaid, General Assistance and Aid to the Medically Indigent, and at least 20% of their total inpatient days reimbursed by Medicaid; or~~

~~B) Have at least 35% of their total inpatient days reimbursed by Medicaid; or~~

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~~c) receive interim payments under Medicaid, GA, and AMI, of at least 6% of the Department's total estimated fiscal year 1983 payments to hospitals and to hospitals which have restructured under subsection f.~~

~~2) Second to any other hospital documenting a financial hardship under subsection (e),~~

~~3) If there are not sufficient funds to provide relief to all eligible hospitals in either of the groups, each hospital in the group will receive the percentage of the remaining dollars which equals the ratio of its amount of approved relief to the total amount of approved relief for all hospitals in that grouping.~~

~~h) Any hospital which requests a review under subsection (d) shall be notified of the results of the review no later than November 15, 1982.~~

~~i) Hospitals must continue to submit claims for payment to the Department on a timely basis. The Department shall monitor the hospitals' billing practices and audit as necessary to ensure the reduced expenditures reflect actual savings and not delayed billings. The Department shall consider a claim as payable during fiscal year 1983 if the claim was paid between July 1, 1982 and June 30, 1983 or would have been paid during that time if the billing cycles and payment cycles were the same on June 30, 1983 as they were on June 30, 1982.~~

~~j) If a hospital's utilization in FY 1983 exceeds its estimated utilization (as calculated in Section c(2) above), or if it appears to a hospital that it will in the near future exceed its utilization limits for inpatient days, outpatient department visits or clinic visits, those limits may be revised provided that the total payment to be made for hospital services during FY 1983 does not change. If a hospital exceeds its FY 1983 utilization limits for the additional days/visits provided during fiscal year 1983, the Department may stop payments for those days/visits.~~

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~~k) The Department shall spend 797.5 million during the twelve month period July 1, 1982 through June 30, 1983.~~

~~1) Interim payments to hospitals for services rendered to Medicaid recipients between July 1, 1982 and June 30, 1983 shall be reconciled to each hospital's rate as calculated in subsection (e) above provided that:~~

~~A) the total amount expended for all reconciliations during fiscal year 1984 shall not exceed $170 million.~~

~~B) the total amount expended for reconciliations for services provided between July 1, 1982 and June 30, 1983 shall not exceed $178 million.~~

~~2) If reconciliation payments would exceed the limitations in subsection 1, the Department will pay all hospitals a percentage of the reconciliation payment. If the percentage is revised subsequently, reconciliation payments already made shall be adjusted. The Department shall either spend $170 million for reconciliation payments or reconcile up to each hospital's rate calculated in subsection (e).~~

~~3) Preliminary settlement for reconciliation shall be made on or before July 15, 1983 or 60 days after a hospital files its cost report covering fiscal year 1983 services, whichever is later. Final settlement shall be made on or before July 15, 1983 or 90 days after the cost report is filed, whichever is later.~~

~~4) Any services rendered in excess of a hospital's utilization limits shall not be reconciled.~~

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~~m) The provisions of this Section shall be in effect during fiscal year 1983 for so long as the Director of the Department finds that:~~

~~1) The total number of hospitals agreeing to be reimbursed pursuant to the provisions of this rule is sufficient to assure that medical assistance recipients have reasonable access to hospital services;~~

~~2) The provisions are approved by the Department of Health and Human Services in the State Title XIX Plan;~~

~~3) The Department has not been enjoined, restrained or otherwise delayed or prohibited by Court order or actions of entities other than the Department from enforcing the provisions;~~

~~4) If any of the conditions specified above fail to occur, alternative service coverage and reimbursement limitations shall be implemented to assure that payments for hospital services during fiscal year 1983 will be approximately the same as would have been made under this rule;~~

~~n) Hospitals may be exempted from the provisions of this rule if they submit an alternative methodology which is acceptable to the Director and results in an expenditure which does not exceed the expenditure which would otherwise be made under this rule;~~

a) In accordance with 89 Ill. Adm. Code 149.50 (c)(8), county-owned hospitals in a county with a population greater than three million are excluded from the DRG PPS and are reimbursed in accordance with this section.

b) Base Year Costs

1) Each hospital's base year operating costs shall be the Medicaid cost per diem contained in the hospital's audited cost reports (see 42 CFR

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447.260 and 447.265 (1982)) for hospitals fiscal years ending between 19 and 30 months prior to the fiscal year for which rates are being set (i.e., calendar year 1989 for fiscal year 1992 rates, calendar year 1990 for fiscal year 1993 rates, etc.).

2) Each hospital's base year capital related costs shall be derived from the same audited cost report used for operating costs in subsection (b)(1) above.

3) Each hospital's base year direct medical education costs shall be derived from the same audited cost report used for operating costs in subsection (b)(1) above.

4) Each hospital's base year costs shall be the sum of the hospital's operating costs, capital related costs and medical education costs defined in subsections (b)(1) through (b)(3).

5) For new hospitals for which a base year cost report is not on file, the Department will use a more recently filed cost report, or if no cost report is on file, the hospital's estimate of costs, adjusted as necessary according to experience with hospitals of similar size, location and service intensity. The Department will recalculate any reimbursement rate based on a rate estimated as soon as a cost report becomes available. The recalculated rate will be effective for the entire fiscal year and the Department will retroactively adjust payments if reported costs are not consistent with the estimate on which the payments are based.

c) Adjustments to base year costs will be made to reflect restructuring since filing the base year cost report. The restructuring must have been mandated to meet state, federal or local health and safety standards. The allowable Medicare/Medicaid costs (see 42 CFR Part

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405, Subpart D, 1982) must be incurred as a result of mandated restructuring and identified from the most recent audited cost report available before or during the rate year. The restructuring costs must be significant, i.e., on a per unit basis; they must constitute one percent or more of the total allowable Medicare/Medicaid unit costs for the same time period. The Department will use the most recent available audited cost report to determine restructuring costs. If an audited cost report becomes available during the rate year, the reimbursement rate will be recalculated at that time to reflect restructuring cost adjustments. For audited reports received at the Finance Section, Illinois Department of Public Aid, between the first and fifteenth of the month, the effective date of the recalculated rate will be the first day of the following month. For audited reports received at the Finance Section between the sixteenth and last day of the month, the effective date will be the first day of the second month following the month the report is received. Allowable restructuring costs are adjusted to account for inflation from the midpoint of the restructuring cost reporting year to the midpoint of the base year according to the index and methodology of the Data Resources, Inc. (DRI) national market basket price proxies, hospital inpatient general routine operating costs, and added to the base year costs.

d) Inflation Adjustment For Base Year Cost Report Inflator

Base year costs, including any adjustments for mandated restructuring, will be updated from the midpoint of each hospital's base year to the midpoint of the fiscal year for which rates are being set (rate year) according to the hospital's historical rate of annual cost increases, as measured by dividing the hospital's cost report cost per diem as defined in subsection (b)(1) above by the previous year's cost report cost per diem.

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e) Review Procedure

The review procedure shall be in accordance with 89 Ill. Adm. Code 148.310.

f) Applicable Adjustments for Disproportionate Share Hospitals

1) The criteria and methodology for making applicable adjustments to disproportionate share hospitals which are exempt from the DRG PPS as described in subsection (a) above, shall be in accordance with 89 Ill. Adm. Code 148.120.

2) In addition to the disproportionate share hospital payment adjustments described in 89 Ill. Adm. Code 148.120, hospitals reimbursed under this Section shall have supplemental disproportionate share payments calculated by multiplying the sume of the hospital's base year costs plu disproportionate share payment adjustments per diem from 89 Ill. Adm. Code 148.120 by the hospital's percentage of inpatient days which are not reimbursed by a third party payer.

g) Outlier Adjustments

Outlier adjustments to payment amounts for medically necessary inpatient hospital services involving exceptionally high costs for certain individuals shall be made in accordance with 89 Ill. Adm. Code 148.130.

h) Reductions to Total Payments

1) Copayments. Copayments are assessed under all medical programs administered by the Department except the General Assistance Program and shall be assessed in accordance with 89 Ill. Adm. Code 148.190.

2) Third Pary Payments. The requirements of 89 Ill. Adm. Code 149.290(c)(2) shall apply.

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i) Prepayment and Utilization Review

Prepayment and utilization review requirements shall be in accordance with 89 Ill. Adm. Code 148.240.

i) Cost Reporting Requirements

Cost reporting requirements shall be in accordance with 89 Ill. Adm. Code 148.210.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

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~~a) The Department will establish limits on the allowable inpatient days for every participating hospital. It will do so by comparing the past length of stay performance of individual hospitals with that of other hospitals for the same or related diagnoses.~~

~~1) The primary diagnosis groupings will consist of all individual diagnosis codes or related groups of codes with more than 500 admissions from October 1980 through September 1981 which were paid between October 1980 and March 1982. All remaining diagnosis codes will be grouped according to the 83 primary diagnosis groups developed by Yale University, as reported in Autogrp--Patient Classification Scheme and Diagnosis Related Groups, Health Care Financing Administration, except that whenever fewer than 500 claims are attributable to one of these groups, that group will be combined with one or more related groups to ensure that no primary diagnosis group will represent fewer than 500 admissions.~~

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~~2) Following is a list of the primary diagnosis groups:~~

~~Intestinal infectious diseases,~~

~~Other bacterial diseases,~~

~~Viral diseases,~~

~~Other infectious and parasitic diseases,~~

~~Malignant neoplasm of digestive system,~~

~~Malignant neoplasm of respiratory system,~~

~~Malignant neoplasm of skin or breast,~~

~~Malignant neoplasm, genitourinary system,~~

~~Malignant neoplasm, other & unspecified,~~

~~Malignant neoplasm of lymphatic/hemopoietic tissue,~~

~~Benign neoplasm of female genital organ,~~

~~Benign neoplasm of male genital organs,~~

~~Benign neoplasm of other sites,~~

~~Carcinoma in situ of digestive organs, respiratory system, skin, breast, genitourinary system, and other and unspecified sites,~~

~~Other neoplasms,~~

~~Disorders of thyroid gland,~~

~~Diabetes mellitus without complication,~~

~~Diabetes mellitus with complication,~~

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~~Disorders of parathyroid gland,~~

~~Diseases of other endocrine glands,~~

~~Nutritional and other metabolic and immunity disorders,~~

~~Fluid volume depletion,~~

~~Sickle cell anemia,~~

~~Other and unspecified anemias,~~

~~Other diseases of blood and blood forming organs,~~

~~Paranoid schizophrenia,~~

~~Other or unspecified schizophrenic disorders,~~

~~Major depressive disorder, single episode,~~

~~Other affective psychoses,~~

~~Other psychoses not attributed to physical conditions,~~

~~Anxiety states,~~

~~Neurotic depression,~~

~~Other neuroses,~~

~~Alcoholic psychoses,~~

~~Acute alcoholic intoxification,~~

~~Other and unspecified alcohol dependence,~~

~~Other mental disorders,~~

~~Depressive disorder, NEC,~~

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~~Inflammatory, hereditary, and degenerative diseases of the central nervous system,~~

~~Other paralytic syndromes,~~

~~Epilepsy,~~

~~Other disorders of the central nervous system,~~

~~Disorders of the peripheral nervous system,~~

~~Cataract,~~

~~Strabismus and other disorders of binocular eye movement,~~

~~Other disorders of eye and adnexa,~~

~~Nonsuppurative otitis media and Eustachian tube disorders,~~

~~Suppurative and unspecified otitis media,~~

~~Other disorders of ear and mastoid process,~~

~~Essential hypertension,~~

~~Other hypertensive disease,~~

~~Acute myocardial infarction,~~

~~Angina pectoris,~~

~~Coronary atherosclerosis,~~

~~Other ischemic heart disease,~~

~~Cardiac dysrhythmias and conduction disorders,~~

~~Heart failure,~~

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~~Carditis,-valvular,-&-other-heart-diseases,~~

~~Acute,-ill-defined,-cerebrovascular-disease,~~

~~Other-cerebrovascular-disease,~~

~~Diseases-of-arteries,-arterioles,-and-capillaries~~

~~Other-Diseases-of-vascular-system,~~

~~Diseases-of-pulmonary-circulation,~~

~~Phlebitis-&-thrombophlebitis,~~

~~Hemorrhoids,~~

~~Acute-tonsillitis,~~

~~Chronic-tonsillitis,~~

~~Hypertrophy-and-other-diseases-of-tonsils-and-adenoids,~~

~~Croup,~~

~~Other-acute-URI-&-influenza,~~

~~Other-diseases-of-upper-respiratory-tract,~~

~~Pneumococcal-pneumonia,~~

~~Bronchopneumonia,~~

~~Pneumonia,-other,~~

~~Acute-bronchitis,~~

~~Acute-bronchiolitis,~~

~~Bronchitis,-other,~~

~~Asthma,~~

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~~Other-diseases-of-respiratory-tract,~~

~~Chronic-airway-obstruction,-NEC,~~

~~Dental-caries,~~

~~Other-diseases-of-oral-cavity,-salivary-glands-&-jaws,~~

~~Duodenal-ulcer,~~

~~Other-gastric-&-peptic-ulcers,~~

~~Diseases-of-esophagus,~~

~~Acute-gastritis,~~

~~Other-or-unspecified-gastritis-and-duodenitis,~~

~~Other-upper-GI-tract-diseases,~~

~~Acute-appendicitis-with-peritonitis,~~

~~Acute-appendicitis-without-peritonitis,~~

~~Appendicitis,-other-or-unqualified,~~

~~Inguinal-hernia-without-obstruction-or-gangrene,~~

~~Umbilical-hernia-without-obstruction-or-gangrene,~~

~~Other-hernia-of-abdominal-cavity,~~

~~Enteritis,-diverticula,-&-functional-disorder-of-intestine,~~

~~Other-&-unspecified-noninfectious-gastroenteritis-&-colitis,~~

~~Functional-digestive-disorders,-NEC,~~

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~~Diseases of anus,~~

~~Intestinal obstruction without mention of hernia,~~

~~Hemorrhage of rectum and anus,~~

~~Gastrointestinal hemorrhage,~~

~~Miscellaneous diseases of GI tract and peritoneum,~~

~~Cirrhoses of liver without mention of alcohol,~~

~~Other chronic liver disease and cirrhoses,~~

~~Other disorders of liver,~~

~~Gallbladder calculus with cholecystitis,~~

~~Gallbladder calculus without cholecystitis,~~

~~Nonacute cholecystitis,~~

~~Other diseases of gall bladder & bile duct,~~

~~Diseases of pancreas,~~

~~Chronic renal failure,~~

~~Acute pyelonephritis,~~

~~Other pyelonephritis or pyonephrosis,~~

~~Other diseases of kidney & ureter,~~

~~Urinary calculus,~~

~~Cystitis,~~

~~Urethral stricture,~~

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~~Urinary tract infection,~~

~~Hematuria,~~

~~Other urinary disorders,~~

~~Redundant prepuce and phimosis,~~

~~Other diseases of male genital organs and prostate,~~

~~Inflammatory disease of ovary, Fallopian tube, pelvic cellular tissue, and peritoneum,~~

~~Inflammatory diseases of uterus, except cervix,~~

~~Inflammatory disease of cervix, vagina, and vulva,~~

~~Female genital prolapse,~~

~~Ovarian cyst,~~

~~Cyst/hemorrhage of vagina,~~

~~Excessive or frequent menstruation,~~

~~Other menstrual disorders or abnormal bleeding,~~

~~Other disorders of female genital organs,~~

~~Benign breast neoplasms/dysplasias,~~

~~Other disorders of breast,~~

~~Spontaneous abortion without complication,~~

~~Unspecified abortion without complication,~~

~~Other abortion,~~

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~~Ectopic pregnancy,~~

~~Hemorrhage in early pregnancy,~~

~~Antepartum hemorrhage,~~

~~Hypertension complicating pregnancy, childbirth and puerperium,~~

~~Threatened premature labor,~~

~~Other threatened labor,~~

~~Early onset of delivery,~~

~~Other obstetrical diseases of antepartum & puerperium,~~

~~Normal delivery,~~

~~Malposition and malpresentation of fetus,~~

~~Disproportion related to delivery,~~

~~Uterine scar from previous pregnancy,~~

~~Trauma to perineum and vulva in delivery,~~

~~Forceps or vacuum extractor delivery without mention of indication,~~

~~Cesarian delivery without mention of indication,~~
~~Other delivery with complication,~~

~~Cellulitis and abscess of leg,~~

~~Other cellulitis and abscess,~~

~~Other infections of skin & subcutaneous tissue,~~

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~~Other inflammations of skin and subcutaneous tissue,~~

~~Chronic ulcer of skin,~~

~~Other diseases of skin and subcutaneous tissue,~~

~~Arthopathies,~~

~~Intevertebral disorders,~~

~~Derangement of knee or other joint,~~

~~Other disorders of joint,~~

~~Acquired deformities of toe,~~

~~Other diseases of bone & cartilage,~~

~~Lumbago,~~

~~Other disorders of back,~~

~~Ganglion and cyst of synovium, tendon, bursa,~~

~~Other disorders of soft tissue,~~

~~Other diseases of muscle skeletal system,~~

~~Congenital anomalies,~~

~~Preterm infants,~~

~~Other perinatal jaundice,~~

~~Other conditions originating in perinatal period,~~

~~Syncope and prolapse,~~

~~Convulsions,~~

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~~Pyrexia of unknown origin,~~

~~Headache,~~

~~Symptoms involving cardiovascular system,~~

~~Dyspnea and respiratory abnormalities,~~

~~Chest pain,~~

~~Other symptoms referable to nervous, respiratory, & circulatory systems,~~

~~Symptoms involving digestive system,~~

~~Symptoms involving urinary system,~~

~~Abdominal pain,~~

~~Other symptoms involving abdomen and pelvis,~~

~~Lack of expected normal physiological development,~~

~~Miscellaneous signs, symptoms, & ill-defined conditions,~~

~~Fracture of face bones,~~

~~Other fracture of skull,~~

~~Fracture of neck and trunk,~~

~~Fracture of humerus,~~

~~Fracture of radius and ulna,~~

~~Other fracture of upper limb,~~

~~Fracture of femur,~~

~~Fracture of tibia and fibula,~~

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~~Fracture of ankle,~~

~~Other fracture of lower limb,~~

~~Dislocations,~~

~~Sprains and strains of sacroiliac region,~~

~~Other sprains and strains of joints and adjacent muscles,~~

~~Concussion,~~

~~Other intracranial injury,~~

~~Other internal injury,~~

~~Open wound of head, neck, trunk,~~

~~Open wound of upper limb,~~

~~Open wound of lower limb,~~

~~Superficial injury,~~

~~Contusion with intact skin surface,~~

~~Other open wounds & superficial injuries,~~

~~Burn,~~

~~Complication of surgical & medical care,~~

~~Nondependent abuse of drugs,~~

~~Poisoning by drugs, medicinal, and biological substances,~~

~~Adverse effects of other substances,~~

~~3) Hospitals will be classified into three categories: rehabilitation, major teaching and other,~~

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~~A) Rehabilitation hospitals are those participating hospitals whose total acute care patient days comprise less than 10% of their total patient days. Acute care patient days are defined as all days in hospital units with a length of stay of less than 30 days.~~

~~B) Major teaching hospitals are those hospitals which have four or more Graduate Medical Education Programs accredited by the American Medical Association, the American Dental Association, or the American Osteopathic Association, or have a scope of service rating as defined by the Illinois Health Finance Authority (IHFA) of 70 or more and have been approved by the IHFA on January 8, 1982, for inclusion in their peer groups 10, 11 and 12. (See IHFA Rule 7 Article 2). For out of state participating hospitals, hospitals with four or more Graduate Medical Education Programs accredited by the AMA, ADA, or AOA will be classified as major teaching hospitals.~~

~~C) All hospitals which are not classified as rehabilitation or major teaching shall be classified as "other" hospitals.~~

~~4) The Department will obtain a sample representative of the Department's mix of primary diagnoses and group them using the primary diagnosis groups in subsection (a)(2) for each hospital category. The sample used in these calculations will be the paid claims data base described in subsection (a)(1).~~

~~5) The statewide 80th percentile of lengths of stay for each diagnosis group will be calculated from the sample in subsection (a)(4).~~

~~6) The Department shall make the following data aggregation calculations and comparisons for each~~

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~~major teaching hospital and each hospital classified as "other".~~

~~A) Obtain a sample representative of the Medical Assistance recipients' mix of primary diagnoses and group them using the primary diagnosis groups in subsection (a)(2).~~

~~B) Determine the hospital's total number of days in the sample.~~

~~C) Determine the hospital's total number of days in the sample in excess of the statewide 80th percentile for each diagnosis group.~~

~~7) The Department will reduce each hospital's total number of days in the sample in excess of the statewide 80th percentile as follows:~~

~~A) Calculate the mean length of stay for each diagnosis group for each hospital category from the sample in subsection (a)(4).~~

~~B) Calculate each hospital's mean length of stay for each diagnosis group from the sample in subsection (a)(6)(A).~~

~~C) For each diagnosis group, calculate a ratio by dividing the hospital's mean length of stay (subsection (a)(7)(B)) by the hospital group's mean length of stay (subsection (a)(7)(A))~~

~~D) If the ratio in step (subsection (a)(7)(C) is greater than 1, the hospital's mean length of stay exceeds the hospital group's mean length of stay and no offset will be given for that diagnosis group. If the ratio in step subsection (a)(7)(C) is less than 1, it will be subtracted from 1 and the result multiplied by the number of days in~~

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~~excess of the 80th percentile for that diagnosis group (from subsection (a)(6)(C)) to determine the number of days the reduction will be offset.~~

~~8) To determine the final total of excess days the number of days in excess of the 80th percentile (subsection (a)(6)(C) will be lessened by the number of days, if any, credited as offsets (subsection (a)(7)(D)).~~

~~9) The Department will calculate for each hospital the ratio of excess days (subsection (a)(8)) to the total number of days (subsection (a)(6)(B)).~~

~~10) Each hospital's number of allowable covered days will be determined as follows:~~

~~A) The hospital's allowable number of days for services provided between October 1, 1981 and June 30, 1982, and payable in FY 1982 (calculated under Section 148.150 based on available data and any requested revisions by hospitals) will be increased proportionately so that the number of days is equal to the number provided during a full year.~~

~~B) The annualized expected number of days obtained in subsection (a)(10)(A) above shall be adjusted by the Department on the basis of historical experience to reflect estimated statewide changes in the number of persons eligible to receive Medical Assistance.~~

~~C) For major teaching and other participating hospitals, the product of the number of days obtained in subsection (a)(10)(B) and one minus the ratio obtained in subsection (a)(9) will be the total allowable covered days for each hospital for services provided on or after July 1, 1982.~~

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~~D) For rehabilitation hospitals, the number of days obtained in subsection (a)(10)(B) above will be the total allowable covered days for services provided on or after July 1, 1982.~~

~~11) Payment by the Department for hospital services is payment in full and the hospital may not charge the recipient.~~

~~12) Days payable in fiscal year 1983, for purposes of Section 148.160, will be 80% of the total calculated in subsection (a)(10). This reflects an average historical delay of 73 days between date of service and date of payment.~~

~~b) Adjustments may be made by the Department to the allowable days by individual hospital to recognize significant changes in the number of admissions by diagnostic grouping, if the adjustments do not result in a net increase in the total allowable expenditures statewide. Requests should be submitted in writing within 6 months of the date the Department notifies the hospital of its number of allowable covered inpatient days. The Department will notify the hospital of the decision within 30 days.~~

a) In accordance with 89 Ill. Adm. Code 149.50(c)(8), state-owned hospitals in a county with a population greater than three million are excluded from the DRG PPS and are reimbursed in accordance with this section.

b) Base Year Costs

1) Each hospital's base year cost per diem shall be derived from audited cost reports (see 42 CFR 447.260 and 447.265 (1982)) for hospitals' fiscal years ending between 19 and 30 months prior to the fiscal year for which rates are being set (i.e., Calendar Year 1989 for Fiscal Year 1992 rates, Calendar Year 1990 for Fiscal Year 1993 rates, etc.) will be used to define base year costs.

Section 148.170 EMERGENCY ~~Limits on Length of Stay by Diagnosis~~ Payment Methodology for State-Owned Hospitals in a County with a Population of Over 3 Million (Cont'd)

2) For new hospitals for which a base year cost report is not on file, the Department will use a more recent filed cost report or, if no cost report is on file, the hospital's estimate of costs, adjusted as necessary according to experience with hospitals of similar size, location and service intensity. The Department will recalculate any reimbursement rate based on a rate estimated as soon as a cost report becomes available. The recalculated rate will be effective for the entire fiscal year and the Department will retroactively adjust payments if reported costs are not consistent with the estimate on which the payments are based.

c) Restructuring Adjustment

Adjustments to base year costs will be made to reflect restructuring since filing the base year cost report. The restructuring must have been mandated to meet state, federal or local health and safety standards. The allowable Medicare/Medicaid costs (see 42 CFR Part 405, Subpart D, 1982) must be incurred as a result of mandated restructuring and identified from the most recent audited cost report available before or during the rate year. The restructuring costs must be significant, i.e., on a per unit basis; they must constitute one percent or more of the total allowable Medicare/Medicaid unit costs for the same time period. The Department will use the most recent available audited cost report to determine restructuring costs. If an audited cost report becomes available during the rate year, the reimbursement rate will be recalculated at that time to reflect restructuring cost adjustments. For audited reports received at the Finance Section, Illinois Department of Public Aid, between the first and fifteenth of the month, the effective date of the recalculated rate will be the first day of the following month. For audited reports received at the Finance Section between the sixteenth and last day of the month, the effective date will be the first day of

Section 148.170 EMERGENCY ~~Limits on Length of Stay by Diagnosis~~ Payment Methodology for State-Owned Hospitals in a County with a Population of Over 3 Million (Cont'd)

the second month following the month the report is received. Allowable restructuring costs are adjusted to account for inflation from the midpoint of the restructuring cost reporting year to the midpoint of the base year according to the index and methodology of the Data Resources, Inc. (DRI) national market basket price proxies, hospital inpatient general routing operating cost, and added to the base year costs.

d) Inflation Adjustment For Base Year Cost Report Inflator

Base year costs, including any adjustments for mandated restructuring, will be updated from the midpoint of each hospital's base year to the midpoint of the fiscal year for which rates are being set (rate year) according to the index and methodology of the Data Resources, Inc., national marketing basket price proxies, hospital inpatient general routine operating cost (DRI).

e) Review Procedure

The review procedure shall be in accordance with 89 Ill. Adm. Code 148.310.

f) Applicable adjustments for Disproportionate Share Hospitals and Uncompensated Care.

The criteria and methodology for making applicable adjustments to disproportionate share hospitals which are exempt from the DRG PPS as described in subsection (a) above, shall be in accordance with 89 Ill. Adm. Code 148.120. The criteria and methodology for making applicable adjustments for uncompensated care shall be in accordance with 89 Ill. Adm. Code 148.120(l) or 148.150, as applicable.

g) Outlier Adjustments

Outlier adjustments to payment amounts for medically necessary inpatient hospital services involving exceptionally high costs for certain individuals shall be made in accordance with 89 Ill. Adm. Code 148.130.

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Section 148.170 ~~Limits on Length of Stay by Diagnosis~~ Payment Methodology for State-Owned Hospitals in a County with a Population of Over 3 Million (Cont'd)
EMERGENCY

h) Reductions to Total Payments

1) Copayments. Copayments are assessed under all medical programs administered by the Department except the General Assistance Program and shall be assessed in accordance with 89 Ill. Adm. Code 148.190.

2) Third Party Payments. The requirements of 89 Ill. Adm. Code 149.290(c)(2) shall apply.

i) Prepayment and Utilization Review

Prepayment and utilization review requirements shall be in accordance with 89 Ill. Adm. Code 148.240.

j) Cost Reporting Requirements

Cost reporting requirements shall be in accordance with 89 Ill. Adm. Code 148.210.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.180 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting

a) For hospitals and/or distinct part units reimbursed on a per diem basis under 89 Ill. Adm. Code 148.160, 148.170 or 148.240 through 148.300, ~~Payment~~ payment for pre-operative days shall be limited to the day immediately preceding surgery unless the attending physician has documented the medical necessity of an additional day or days. The documentation must be kept in the patient's medical record and should consist of a written notation made by the physician which indicates that more than one pre-operative day is medically necessary.

b) 1) In accordance with 89 Ill. Adm. Code 148.140(a)(4), ~~Payment~~ payment for inpatient

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Section 148.180 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Cont'd)
EMERGENCY

hospital services will not be made for procedures which have been identified as procedures which may be performed safely in an outpatient setting (i.e., without an admission to the hospital for an overnight stay) unless documentation in the patient's medical record indicates that:

A) The patient is in the hospital as an inpatient for a medically necessary condition unrelated to the surgical procedure;

B) The patient is in the hospital as an inpatient for an unrelated procedure to be performed on an inpatient basis simultaneously;

C) The practitioner has documented the medical necessity of performing the patient's surgery in an inpatient setting.

2) The list of procedures identified as restricted inpatient procedures which may be safely performed outside the inpatient setting and do not require an inpatient admission would be reevaluated annually.

3) Additions to and deletions from the list of designated restricted inpatient procedures will be made following notice to and consultations with the Department's professional advisory committees, State Medicaid Advisory Committee, ~~representatives~~ representatives selected by the hospitals, other third party payors, the Illinois Hospital Association, and other interested groups or individuals.

c) Ancillary services and routine tests (those services other than routine room and board and nursing which are required because of the patient's medical condition, including lab tests and x-rays) shall not be covered unless there is a patient specific written

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Section 148.180 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Cont'd)
EMERGENCY

order for the test from the attending physician or responsible practitioner. (Standing orders are not sufficient.)

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.190 Copayments
EMERGENCY

a) Copayments will be assessed on inpatient hospital services in the following amounts:

1) Inpatient hospital services in hospitals with a ~~final~~ an alternate cost per diem rate (see Section ~~148.300~~ 148.270(a)) of $325 or more.....$3 per day.

2) Inpatient hospital services in hospitals with a ~~final~~ an alternate cost per diem rate of more than $275 but less than $325.....$2 per day.

3) Inpatient hospital services in hospitals with a ~~final~~ an alternate cost per diem rate of $275 or less.....No Copayment.

b) Copayments will be assessed under all medical programs administered by the Department ~~except the General Assistance medical program~~. Copayments will not be assessed against individuals under the age of 18, pregnant women (including post-partum women who have given birth within the last six weeks), or group care recipients. Copayments will be deducted automatically by the Department upon payment for services provided.

c) No provider may deny care or services on account of an individual's inability to pay a copayment; this requirement, however, shall not extinguish the liability for payment of the copayment by the individual to whom the care or services were furnished.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

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Section 148.200 ~~Payment Methodology~~ Alternate Reimbursement Systems
EMERGENCY

a) Section 148.210 discusses cost reporting requirements for all hospitals participating in the Medicaid Program.

b) Section 148.220 describes the payment methodology for hospital inpatient services to recipients for admissions occurring prior to September 1, 1991.

c) The payments described in 89 Ill. Adm. Code 148.80, 148.240 through 148.300 and Part 149 shall be effective for admissions on and after September 1, 1991.

d) In the interim, hospitals shall be reimbursed on a per diem basis for admissions on and after September 1, 1991.

The interim per diem reimbursement system will be replaced by the Medicaid Prospective Payment System no later than April 1, 1992 and appropriate adjustments will be made to adjust payments previously made under the interim per diem reimbursement system. The reimbursement methodologies described in 89 Ill. Adm. Code 148.240 through 148.300 and Part 149 shall be retroactive for admissions on or after September 1, 1991.

The payments described in 89 Ill. Adm. Code 148.120 shall be effective on or after July 1, 1991 with the exception of the payments described in 148.120(l) and 148.150 which shall be effective on or after August 1, 1991. In the interim, hospitals will continue to receive their disproportionate share reimbursement rate which was in effect on June 30, 1991. Once the Fiscal Year 1992 determination has been made and rates have been calculated for Fiscal Year 1992, appropriate retroactive adjustments will be made to the interim disproportionate share rates.

In the interim, hospitals shall be reimbursed as follows:

l) Hospitals that, on August 31, 1991, have a contract with the Department under Section 3-4 of

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Section 148.200 ~~Payment Methodology~~ Alternate Reimbursement Systems (Cont'd)
EMERGENCY

the Illinois Health Finance Reform Act shall elect to receive interim reimbursement under one of the reimbursement methodologies listed below:

A) The hospital's weighted average contracting rate as stated in the most recently negotiated contract.

B) The payment methodology in effect August 31, 1991 in accordance with 89 Ill. Adm. Code 148.220.

2) Hospitals that, on August 31, 1991, do not have a contract with the Department under Section 3-4 of the Illinois Health Finance Reform Act shall continue to be reimbursed based upon the payment methodology in effect August 31, 1991, in accordance with 89 Ill. Adm. Code 148.220.

e) ~~sections~~ Sections ~~148.210~~ 148.240 through ~~148.330~~ 148.300 describe the payment ~~methodology~~ methodologies for hospital inpatient services to recipients of Medical Assistance - Grant (MAG), and Medical Assistance - No Grant (MANG), ~~Aid to the Medically Indigent (AMI), and General Assistance (GA)~~ provided by a hospital not ~~covered~~ reimbursed under the ~~Illinois Competitive Access and Reimbursement Equity Program (see 89 Ill. Adm. Code 149)~~ DRG Prospective Payment System (PPS) described in 89 Ill. Adm. Code Part 149 or the reimbursement methodologies described in 89 Ill. Adm. Code 148.160 and 148.170.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.210 ~~Non-Participating Hospitals~~ Filing Cost Reports
EMERGENCY

~~a) Non-participating out-of-state hospitals are hospitals from out-of-state that provide fewer than 200 Illinois Medical Assistance days annually and that do not file an Illinois Medicaid cost report.~~

~~b) Non-participating out-of-state hospitals located in Metropolitan Statistical Areas (MSA's) designated by the United States Department of Commerce in the 1980 census shall be paid by computing the average rate paid to hospitals located in the Illinois MSA and adjusting this amount for differing wage costs and differing costs associated with teaching hospitals. The wage cost adjustment shall be computed using the wage index for urban areas compiled by the Federal Bureau of Labor Statistics. The teaching cost adjustment shall be computed based on the relationship as defined by the Illinois Health Finance Authority between full time equivalent interns and residents employed at the hospital and beds at the hospital. Hospitals with a higher ratio of interns and residents to beds shall receive a larger percentage add on to their computed rate.~~

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NOTICE OF EMERGENCY AMENDMENTS

Section 148.210 ~~Non-Participating Hospitals~~ Filing Cost Reports (Cont'd)
EMERGENCY

~~e) Non-participating out-of-state hospitals not located in MSA's shall be paid by computing the average rate paid to hospitals not located in MSA's in Illinois, and adjusting this amount for differing wage costs and differing costs associated with teaching hospitals. The wage cost adjustment shall be computed using the wage index for rural areas compiled by the Federal Bureau of Labor Statistics. The teaching cost adjustment shall be computed in the same manner as specified above for non-participating hospitals located in MSA's.~~

a) All hospitals in Illinois and those hospitals in contiguous states providing 200 or more inpatient days of care or more to Illinois program participants shall be required to file Medicaid cost reports within 90 days of the close of that provider's fiscal year.

b) The Department may grant a 30-day extension of the due date for good cause.

c) For new hospitals or distinct part units for which a base year Medicaid cost report is not on file, the hospital must submit a rate year budget and utilization estimate for the most recent hospital fiscal year. The Department will recalculate the rate estimate when a Medicaid cost report becomes available

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Section 148.210 ~~Non-Participating Hospitals~~ Filing Cost Reports (Cont'd)
EMERGENCY

and will retroactively adjust payments, if reported costs are not consistent with the estimate on which the payments are based.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.220 Pre ~~July 1, 1989 Services~~ September 1, 1991 Admissions
EMERGENCY

Reimbursement to ~~participating~~ hospitals for claims for ~~services provided~~ admissions occurring prior to ~~July 1, 1989~~ September 1, 1991, will be calculated and paid in accordance with the statutes and administrative rules governing the time period when the services were rendered.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.230 ~~Post June 30, 1989 Services~~ Admissions Occurring on or after September 1, 1991
EMERGENCY

Reimbursement to ~~participating~~ hospitals not reimbursed under the DRG PPS (see 89 Ill. Adm. Code Part 149) for inpatient ~~services provided during fiscal years~~ admissions occurring on or after ~~June 30, 1989,~~ September 1, 1991 shall be calculated in accordance with Sections 148.240 through ~~148.330~~ 148.300.

(Source: Emergency amendment at 15 Ill. Reg. 16166 effective November 1, 1991, for a maximum of 150 days)

Section 148.240 Prepayment and Utilization Review
EMERGENCY

a) Prepayment Review

The Department may require hospitals to submit claims to the Department for prepayment review and approval prior to rendering payment for services provided. Such prepayment review requirements will be focused on areas where the Department has substantial reason to

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Section 148.240 Prepayment and Utilization Review (Cont'd)
EMERGENCY

suspect abuse (e.g., hospital billings deviate from the norm). The review may be conducted by the Department or its designated peer review agent. Prepayment review shall be used to determine the appropriateness and medical necessity of the inpatient stay. Payment shall not be made unless the medical necessity of the inpatient stay can be documented. The Department shall notify the hospital by letter or Department Informational Notice of the designated services which shall be subject to prepayment review. The prepayment review requirement shall commence thirty (30) days after the Department has given notice to the hospital of the designated services which shall be reviewed.

b) All hospitals reimbursed in accordance with 89 Ill. Adm. Code 148.160 through 148.170 and 148.240 through 148.300 shall be required to comply with the requirements for utilization review as contained in Section 3-5 of the Health Finance Reform Act (Ill. Rev. Stat. Ch. 111 1/2, Par. 6503-5).

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.250 ~~Base Year Costs~~ Determination of Alternate Payment Rates to Certain Exempt Hospitals
EMERGENCY

~~a) Audited cost reports (see 42 CFR 447.260 and 447.265 (1982)) for hospitals' fiscal years ending between 12 and 30 months prior to the fiscal year for which rates are being set (i.e., calendar year 1981 for fiscal year 1984 rates, calendar year 1982 for fiscal year 1985 rates, etc.) will be used to define base year costs.~~

~~b) For new hospitals for which a base year cost report is not on file, the Department will use a more recent filed cost report or, if no cost report is on file, the hospital's estimate of costs, adjusted as necessary according to experience with hospitals of similar size, location and service intensity. The Department will recalculate any reimbursement rate based on a rate estimate as soon as a cost report~~

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Section 148.250 EMERGENCY — ~~Base-Year-Costs-~~Determination of Alternate Payment Rates to Certain Exempt Hospitals (Cont'd)

~~becomes-available,--The-recalculated-rate-will-be-effective-for-the-entire-fiscal-year-and-the-Department-will-retroactively-adjust-payments-if-reported-costs-are-not-consistent-with-the-estimate-on-which-the-payments-are-based.~~

The exempt hospitals, defined in 89 Ill. Adm. Code 149.50(c)(1), (c)(2), (c)(4) and (c)(7), shall be reimbursed for inpatient hospital care provided to recipients by summing the following reimbursement calculations:

a) allowable operating cost per diem;

b) other costs (capital, direct medical education, and CRNA costs) reimbursed on a per diem basis; and

c) applicable disproportionate share and uncompensated care adjustments as described in 89 Ill. Adm. Code 148.120 or 148.150, as applicable, and outlier adjustments as described in 89 Ill. Adm. Code 148.130.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.260 EMERGENCY — ~~Restructuring-Adjustment-~~Calculation and Definitions of Inpatient Per Diem Rates

~~Adjustments-to-base-year-costs-will-be-made-to-reflect-restructuring-since-filing-the-base-year-cost-report.--The-restructuring-must-have-been-mandated-to-meet-state,-federal-or-local-health-and-safety-standards.--The-allowable-Medicare/Medicaid-costs-(see-42-CFR-405,-Subpart-D,-1982)-must-be-incurred-as-a-result-of-mandated-restructuring-and-identified-from-the-most-recent-audited-cost-report-available-before-or-during-the-rate-year.--The-restructuring-costs-must-be-significant,-i.e.,-on-a-per-unit-basis,-they-must-constitute-one-percent-or-more-of-the-total-allowable-Medicare/Medicaid-unit-costs-for-the-same-time-period.--The-Department-will-use-the-most-recent-available-audited-cost-report-to-determine-restructuring-costs.--If-an-audited-cost-report-becomes-available-during-the-rate-year,-the-reimbursement-rate-will-be-recalculated-at-that-time-to-reflect-restructuring-cost-adjustments.--For-audited-reports-received-at-the-Finance-Section,-Illinois-Department-of-Public-Aid-between-the-first-and-fifteenth-of-the-month,-the-effective-date-of-the-recalculated-rate-will-be-the-first-day-of-the-following-month.--For-audited-reports-received-at-the-Finance-Section-between-the-sixteenth-and-last-day-of-the-month,-the-effective-date-will-be-the-first-day-of-the-second-month-following-the-month-the-report-is-received.--Allowable-restructuring-costs-are-adjusted-to-account-for-inflation-from-the-midpoint-of-the-restructuring-cost-reporting-year-to-the-midpoint-of-the-base-year-according-to-the-index-and-methodology-of-the-Data-Resources,-Inc.-(DRI)-national-market-basket-price-proxies,-hospital-inpatient-general-routine-operating-cost,-and-added-to-the-base-year-costs.~~

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Section 148.260 EMERGENCY — ~~Restructuring-Adjustment-~~Calculation and Definitions of Inpatient Per Diem Rates (Cont'd)

a) Calculation for the first rate year rate

1) Allowable operating cost per diem

A) The allowable operating cost per diem for a hospital, described in 89 Ill. Adm. Code 148.250(a), and for hospitals or hospital units, described in 89 Ill. Adm. Code 148.270, shall be calculated by taking the hospital's Medicaid inpatient operating costs (as reported on the hospital's latest audited Medicaid cost report on file with the Department, i.e., two hospital report years, 1988 and 1989, are used for FY'92 rates, 1989 and 1990 for FY'93, etc.) divided by the hospital's Medicaid inpatient days.

B) Operating cost base per diem rates for hospital inpatient care provided to Medicaid recipients beginning September 1, 1991, and ending August 31, 1991, shall be calculated by:

i) Calculating each individual hospital's cost per diem less capital and direct medical education costs for each of the two most recent years for which an

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Section 148.260 EMERGENCY ~~Restructuring-Adjustment~~-Calculation and Definitions of Inpatient Per Diem Rates (Cont'd)

.audited Medicaid cost report exists, as described in subsection (a)(1)(A) above.

ii) Each of the two cost per diems (i.e., one for 1988 and one for 1989) shall be trended forward to the midpoint of the current rate year using the national total hospital market basket price proxies (DRI).

iii) These two trended operating cost per diems are then added together and divided by two to calculate the hospital's FY'92 final operating cost per diem.

2) Capital Related Costs. The capital related cost per diem for a hospital, described in 89 Ill. Adm. Code 148.250(a), and for hospitals or hospital units, described in 89 Ill. Adm. Code 148.270, shall be calculated by taking the hospital's total capital related costs (as reported on the hospital's latest audited Medicare cost report on file with the Department, i.e., two hospital report years, 1988 and 1989, are used for FY'92 rates, 1989 and 1990 for FY'93, etc.) divided by the hospital's total inpatient days, trended forward to the midpoint of the current rate year using the national total hospital market basket price proxies (DRI).

A) These two trended capital related cost per diems are then added together and divided by two to calculate the hospital's adjusted capital related cost per diem.

B) The adjusted capital related cost per diem, as calculated in subsection (a)(2)(A) above, shall be rank ordered for all hospitals and capped at the 80th percentile.

C) Each hospital shall receive a per diem add-on for capital related costs which shall

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Section 148.260 EMERGENCY ~~Restructuring-Adjustment~~-Calculation and Definitions of Inpatient Per Diem Rates (Cont'd)

be equal to the amount calculated in subsection (a)(2)(A) or subsection (a)(2)(B) above, whichever is less.

3) Direct Medical Education Costs. The direct medical education cost per diem for a hospital, described in 89 Ill. Adm. Code 148.250(a), and for hospitals or hospital units, described in 89 Ill. Adm. Code 148.270, shall be calculated by taking total direct medical education costs (as reported on the hospital's latest audited Medicare cost report on file with the Department, i.e., two hospital report years, 1988 and 1989, are used for FY'92 rates, 1989 and 1990 for FY'93, etc.) divided by the hospital's total inpatient days, trended forward to the midpoint of the current rate year using the national total hospital market basket price proxies (DRI).

A) The two trended direct medical education cost per diems are then added together and divided by two to calculate the hospital's adjusted direct medical education cost per diem.

B) The adjusted direct medical education cost per diem, as calculated in subsection (a)(3)(A) above, shall be rank ordered for all hospitals reporting such costs and capped at the 80th percentile.

C) Each hospital shall receive a per diem add-on for direct medical education costs which shall be equal to the amount calculated in subsection (a)(3)(A) or subsection (a)(3)(B) above, whichever is less.

4) CRNA Costs

A) Only hospitals that qualify for these payments under the Medicare Program (Section 5261 of HCFA 14-3 Update, 3-1-91) shall be eligible for these payments.

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Section 148.260 ~~Restructuring-Adjustment-~~Calculation and Definitions of Inpatient Per Diem Rates
EMERGENCY (Cont'd)

B) The CRNA cost per diem shall be calculated by taking the hospital's total CRNA costs (as reported on the hospital's latest audited Medicare cost report on file with the Department, i.e., hospital report year 1989 is used for FY'92 rates, 1990 for FY'93, etc.) divided by the hospital's total inpatient days, trended forward to the midpoint of the current rate year using the national total hospital market basket price proxies (DRI).

C) Each qualifying hospital, as described in subsection (a)(4)(A) above, shall receive a per diem add-on for CRNA costs which shall be equal to the amount calculated under subsection (a)(4)(B) above.

b) Calculation for the Second and Third Rate Years

For the rate years beginning on September 1, 1992, and on September 1, 1993, the final rate per diem shall be determined by taking the operation, capital, direct medical education and CRNA trended rate cost per diems calculated for the prior rate year and updating that rate by the national total hospital market basket price proxies (DRI).

c) Calculation for Subsequent Rate Years

For the rate year beginning September 1, 1994, and every third rate year thereafter, the final rate per diem shall be calculated using the methodology set forth in subsection (a) using the most recently available audited Medicare/Medicaid cost reports.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

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Section 148.270 ~~Inflation-Adjustment-~~Determination of Alternate Cost Per Diem Rates For All Hospitals and Payment Rates for Certain Exempt Hospital Units
EMERGENCY

~~a) Base-Year-Cost-Report-Inflator~~

~~Base-year-costs, including any adjustments for mandated restructuring, will be updated from the midpoint of each hospital's base year to the midpoint of the fiscal year for which rates are being set (rate year) according to the index and methodology of the Data Resources, Inc. national market basket price proxies, hospital inpatient general routine operating cost (DRI).~~

~~b) Group-65th-Percentile-Inflator~~

~~The Fiscal Year 1984 Group 65th percentile of DRI updated costs for hospital peer groups one through five (see Section 148.280) will be updated from the midpoint of the previous fiscal year to the midpoint of the current rate year according to the index and methodology of the Data Resources Inc., national market basket price proxies, hospital inpatient general routine operating cost (DRI). In this calculation, the full DRI index will be used.~~

a) For all hospitals, regardless of the hospital's reimbursement methodology, the Department shall first calculate the hospital's alternate cost per diem rate, as calculated under 89 Ill. Adm. Code 148.250 and 148.260, derived from the provider's two most recently audited inpatient Medicaid cost reports and the latest Medicare cost reports on file with the Department.

b) In the case of a distinct part unit, as described in 89 Ill. Adm. Code 149.50(d), the Department shall divide the hospital's Medicaid charges per diem (identified on paid claims submitted by the individual hospital during the most recently completed fiscal year) related to the distinct part unit by the hospital's total Medicaid charges per diem for all paid claims from the same time period, and multiply the result by the hospital's total Medicaid alternate payment rate. For rehabilitation care, the resulting figure shall be used as the hospital's distinct part

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Section 148.270 EMERGENCY ~~Inflation Adjustment~~ Determination of Alternate Cost Per Diem Rates For All Hospitals and Payment Rates for Certain Exempt Hospital Units (Cont'd)

unit's payment rate. For psychiatric care, the lower of the resulting figure or the hospital's Medicaid alternate payment rate shall be used as the hospital's distinct part unit's payment rate.

c) In the case of an out-of-state non cost-reporting hospital, reimbursement for inpatient services shall be as follows:

1) For general acute-care hospitals, reimbursement for inpatient services shall be at the average rate calculated under subsection (a) above for those hospitals reimbursed under 89 Ill. Adm. Code 148.280(b) and Part 149.

2) For psychiatric hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(1), reimbursement for inpatient psychiatric services shall be at the average rate calculated under 89 Ill. Adm. Code 148.250 through 148.260 for those hospitals defined in 89 Ill. Adm. Code 149.150(c)(1).

3) For rehabilitation hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(2), reimbursement for inpatient rehabilitation services shall be at the average rate calculated under 89 Ill. Adm. Code 148.250 through 148.260 for those hospitals defined in 89 Ill. Adm. Code 149.150(c)(2).

4) For long term care hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(4), reimbursement for inpatient services shall be at the average rate calculated under 89 Ill. Adm. Code 148.250 through 148.260 for those hospitals defined in 89 Ill. Adm. Code 149.150(c)(4).

5) For children's hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(3), reimbursement for inpatient services shall be at the average rate

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Section 148.270 EMERGENCY ~~Inflation Adjustment~~ Determination of Alternate Cost Per Diem Rates For All Hospitals and Payment Rates for Certain Exempt Hospital Units (Cont'd)

calculated under subsection (a) above for those hospitals defined in 89 Ill. Adm. Code 149.50(c)(3).

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.280 EMERGENCY ~~Groupings~~ Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements

~~a) Hospitals will be grouped with their peers into five peer groupings.~~

~~1) Hospitals which provide only selected special services or programs are grouped separately from other hospitals. Special hospitals are subdivided into two groupings.~~

~~A) Rehabilitation hospitals (group 4)~~

~~B) Childrens hospitals (group 5)~~

~~2) All other hospitals are subdivided into three groupings.~~

~~A) Hospitals which have provided a large range of complex services, many of which have not been provided at other hospitals (group 1).~~

~~B) Hospitals which have provided a moderate range of complex services, some of which were not provided at any other hospital or services which have been provided at only a few other hospitals (group 2).~~

~~C) Hospitals which have provided a small range of complex services that have, for the most part, been provided at other facilities (group 3).~~

~~b) Two variables were used to identify the hospital peer groups.~~

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NOTICE OF EMERGENCY AMENDMENTS

Section 148.280 EMERGENCY — ~~Groupings~~ Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements (Cont'd)

~~1) Primary diagnosis codes for inpatient admissions, as submitted by the hospitals on their inpatient claims.~~

~~2) Procedure codes from the same source.~~

~~3) Peer group methodology~~

~~A) Hospital peer groups are characterized by hospitals which share similar histories in terms of the complexity of services they have provided to Public Aid recipients.--Each hospital's Scope of Services Index (SOS) will be calculated from paid inpatient claims submitted for services provided during the two most recent fiscal years for which at least 95% of the claims have been processed.--Each hospital's SOS index will be updated on an annual basis.~~

~~B) All diagnosis and procedure codes (for surgical procedures) from these submitted claims are arrayed by hospital and unduplicated.--The number of hospitals that provided services related to each code (diagnosis and procedure) are tallied.--This sum is then divided by the total number of participating hospitals to obtain the percentage of hospitals which admitted patients for each diagnosis and procedure code.--This percentage is then substracted from one and multiplied by 100 to arrive at the complexity weight for each diagnosis and procedure code.--For instance, if a diagnosis/procedure were found in 10% of the hospitals paid claims, it would receive a complexity weight of 90 while a code turned up in 70% of the hospitals paid claims would receive a complexity weight of 30.--Once complexity weights are assigned to each code then the diagnosis and procedure code weights are summed for each hospital.--Each hospital's sum of diagnosis/procedure code weights are then divided by the total of all the diagnosis/procedure code weights and multiplied by 100.--Each hospital has four weights:--one for diagnosis codes and one for procedure codes for each of the two years considered.--These four weighted measures are then added together and divided by four and then the result is multiplied by 1000 to develop a combined weight index to measure the complexity of care each hospital has provided to Public Aid recipients.~~

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Section 148.280 EMERGENCY — ~~Groupings~~ Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements (Cont'd)

~~c) The discussed methodology results in the following groupings.~~

~~Group Number~~	~~Diagnostic Scope of Service Range~~
~~--1~~	~~Greater than the mean SOS score plus two (2) standard deviations~~
~~--2~~	~~Greater than the mean SOS score plus one (1) standard deviation but less than the mean SOS plus 2 standard deviations~~
~~--3~~	~~Less than the mean SOS score plus one (1) standard deviation~~
~~--4~~	~~N/A~~
~~--5~~	~~N/A~~

~~d) Any new or out of state participating hospitals will be placed in the most appropriate grouping based on data collected by the Department.~~

a) Children's Hospitals

For purposes of reimbursement, all children's hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(3), are grouped into one peer group.

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Section 148.280 ~~Groupings~~-Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements (Cont'd)
EMERGENCY

Each hospital's costs shall be derived from audited cost reports (see 42 CFR 447.260 and 447.265 (1982)) for hospitals' fiscal years ending between 19 and 30 months prior to the fiscal year for which the rates are being set (i.e., Calendar Year 1989 for Fiscal Year 1992, etc.).

These base year costs shall be updated, trended forward, from the midpoint of each hospital's base year (i.e., 1989) to the midpoint of the rate year (i.e., 1992) for which rates are being set according to the methodology of the national total hospital market basket price proxies, (DRI).

The children's hospitals' FY'92 trended rates shall be used as the basis for calculating the group's median trended rate. Each individual hospital's trended rate is then compared to the group's median trended rate. Hospitals whose individual trended rates are higher than the median rates shall receive as a final inpatient payment rate their trended rate minus half the difference between their trended rate and the group's median trended rate. Hospitals whose trended rates are lower than the group's median trended rate shall receive as its final inpatient payment rate their individual trended rate plus half the difference between their trended rate and the group's median trended rate.

b) Hospitals Reimbursed Under Special Arrangements

During the transition period of the DRG PPS implementation, hospitals that, on August 31, 1991, had a contract with the Department under the ICARE Program, pursuant to Section 3-4 of the Illinois Health Finance Reform Act, may elect to continue to be reimbursed at rates stated in such contracts for general and specialty care for services provided on or after September 1, 1991.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

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NOTICE OF EMERGENCY AMENDMENTS

Section 148.290 ~~Rate Calculation~~-Adjustments and Reductions to Total Payments
EMERGENCY

~~Final rate calculation~~

~~a) For Groups 1 through 5 the 65th percentile of the DRI updated costs for individual hospitals within a group will be increased by the DRI Index from the midpoint of the previous year to the midpoint of the rate year. The 65th percentile is derived from the FY 84 trended rates which have been updated each year for inflation.~~

~~b) The Final Rate for a hospital with current rate year DRI updated costs greater than its current rate year group 65th percentile will be the group 65th percentile. The Final Rate for a hospital with DRI updated costs less than or equal to its current rate year group 65th percentile will be either:~~

~~1) (the DRI index updated from the midpoint of the previous year to the midpoint of the rate year plus that hospital's marginal percentage change in per diem trended costs from the previous to the current rate year) divided by two, multiplied by the previous year's trended cost; or,~~

~~2) the current rate year group 65th percentile, whichever is less. This final adjustment will decrease the rate of increase for hospitals with per diem costs increasing faster than the inflation rate and increase the rate of increase for hospitals with per diem costs increasing slower than the inflation rate.~~

a) Applicable Adjustments for Disproportionate Share and Uncompensated Care

The criteria and methodology for making applicable disproportionate share and uncompensated care adjustments to hospitals which are exempt from the DRG PPS (see 89 Ill. Adm. Code Part 149) shall be in accordance with 89 Ill. Adm. Code Sections 148.120 or, if applicable, 148.150.

b) Outlier Adjustments

Outlier adjustments to payment amounts for medically

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Section 148.290 ~~Rate Calculation~~-Adjustments and Reductions to Total Payments (Cont'd)
EMERGENCY

necessary inpatient hospital services involving exceptionally high costs for certain individuals shall be made in accordance with 89 Ill. Adm. Code 148.130 for hospitals that are exempt from the DRG PPS (see 89 Ill. Adm. Code Part 149)

c) Reductions to Total Payments

1) Copayments. Copayments are assessed under all medical programs administered by the Department except the General Assistance medical program and shall be assessed in accordance with 89 Ill. Adm. Code 148.190.

2) Third Party Payments. Hospitals shall determine that services are not covered, in whole or in part, under any program or under any other private group indemnification or insurance program, health maintenance organization, workers compensation or the tort liability of any third party. To the extent that such coverage is available, the Department's payment obligation shall be reduced.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.300 Payment
EMERGENCY

The Department will pay the full final rates calculated in Sections 148.250 - 148.290 for hospitals described in 89 Ill. Adm. Code 148.200(e).

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.310 Review Procedure
EMERGENCY

a) Inpatient Rate Reviews

1) Hospitals shall be notified of their inpatient

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Section 148.310 Review Procedure (Cont'd)
EMERGENCY

rate for the rate year and shall have an opportunity to request a review of the rate for errors in calculation. Such a request must be received in writing by the Department within 30 days of the date of the Department's notice to the hospital of their rates. The Department shall notify the hospital of the results of the review within 30 days of receipt of the hospital's request for review.

2) Hospitals reimbursed in accordance with 89 Ill. Adm. Code 148.240 through 148.300 may request that an adjustment be made to their base year costs to reflect significant changes in costs which have occurred since the hospital's filing of the base year cost report. The allowable Medicare/Medicaid costs must be identified from the most recent audit cost report available. These costs must be significant, i.e., on a per unit basis, they must constitute one percent or more of the total allowable Medicaid/Medicare unit costs for the same time period. Appeals for base year cost adjustments must be received, in writing, by the Department within 30 days of the date of the Department's notice to the hospital of their rates. Such request shall include a clear explanation of the cost change and documentation of the desired correction. The Department shall notify the hospital of the results of the review within 30 days of receipt of the hospital's request for review.

Disproportionate share determination reviews shall be limited to the following:

Allowable costs are adjusted to account for inflation from the midpoint of the cost reporting year to the midpoint of the base year according to the index and methodology of the total hospital national market basket price proxies, (DRI), and added to the base year costs.

b) Disproportionate Share Determination Reviews

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Section 148.310 Review Procedure (Cont'd)
EMERGENCY

Hospitals shall be notified of their qualification for disproportionate share payment adjustments and shall have an opportunity to request a review of the disproportionate share add-on for errors in calculation. Such a request must be received in writing by the Department within 30 days of the date of the Department's notice to the hospital of its disproportionate share qualification and add-on calculations. Such request shall include a clear explanation of the error and documentation of the desired correction. The Department shall notify the hospital of the results of the review within 30 days of receipt of the hospital's request for review.

1) Disproportionate Share Determination Criteria. The criteria for disproportionate share determination shall be in accordance with Section 1923 of the Social Security Act, Public Act 86-268 and 89 Ill. Adm. Code 148.120. Review shall be limited to verification that the Department utilized criteria in accordance with federal and State regulations.

2) Medicaid Inpatient Utilization Rates. Medicaid inpatient utilization rates shall be calculated pursuant to Section 1923 of the Social Security Act, Public Act 86-268 and 89 Ill. Adm. Code 148.120(a)(1). Review shall be limited to verification that Medicaid inpatient utilization rates were calculated in accordance with federal and State regulations.

3) Low Income Utilization Rates. Low Income utilization rates shall be calculated in accordance with Section 1923 of the Social Security Act and 89 Ill. Adm. Code 148.120(a)(2) and (d). Review shall be limited to verification that low income utilization rates were calculated in accordance with federal and State regulations.

4) Federally Designated Health Manpower Shortage Areas (HMSA's). Illinois hospitals located in federally designated HMSA's shall be identified in accordance with 42 CFR 5, 1989, Public Act

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Section 148.310 Review Procedure (Cont'd)
EMERGENCY

86-268 and 89 Ill. Adm. Code 148.120(a)(3) based upon the methodologies utilized by, and the most current information available to, the Department of Health and Human Services as of June 30th of the fiscal year prior to the disproportionate share determination. Review shall be limited to hospitals in locations that have failed to obtain designation as federally designated HMSA's only when such a request for review is accompanied by documentation from the Department of Health and Human Services substantiating that the hospital was located in a federally designated HMSA as of June 30th of the fiscal year prior to the disproportionate share determination.

5) Excess Beds. Excess bed information shall be determined in accordance with Public Act 86-268 (89 Ill. Admin. Code, Section 148.120(a)(3) and 77 Ill. Admin. Code, Section 1100) based upon the methodologies utilized by, and the most current information available to, the Illinois Health Facilities Planning Board as of June 30th of the fiscal year prior to the disproportionate share determination. Reviews shall be limited to requests accompanied by documentation from the Illinois Health Facilities Planning Board substantiating that the information supplied to and utilized by the Department was incorrect.

6) Occupancy Ratios. Occupancy rates shall be determined in accordance with Public Act 86-268 and 89 Ill. Adm. Code 148.120(m)(6) and (7) based upon the methodologies utilized by, and the most current information available to, the Illinois Department of Public Health as of June 30th of the fiscal year prior to the disproportionate share determination. Reviews shall be limited to requests accompanied by documentation from the Illinois Department of Public Health substantiating that the information supplied to and utilized by the Department was incorrect.

7) Medicare Inpatient Utilization Percentages. Medicare inpatient utilization percentages shall

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Section 148.310 Review Procedure (Cont'd)
EMERGENCY

be calculated in accordance with Public Act 86-268 and 89 Ill. Adm. Code 148.120(m)(3) through (5) based upon the hospital's cost report for the hospital's base fiscal year (i.e., Calendar Year 1986 for Fiscal Year 1989 payments, Calendar Year 1987 for Fiscal Year 1990, etc.). Reviews shall be limited to requests accompanied by documentation from the Medicare intermediary substantiating that the information supplied to and utilized by the Department was incorrect.

c) Outlier Adjustment Reviews. The Department shall make outlier adjustments to payment amounts in accordance with 89 Ill. Adm. Code 149.105 or 148.130, whichever is applicable. Hospitals shall be notified of the specific information which shall be utilized in the determination of those services qualified for an outlier adjustment and shall have an opportunity to request a review of such specific information for errors in calculation only. Such a request must be received in writing by the Department within 30 days of the date of the Department's notice to the hospital of the specific information which shall be utilized in the determination of those services qualified for an outlier adjustment. Such request shall include a clear explanation of the error and documentation of the desired correction. The Department shall notify the hospital of the results of the review within 30 days of receipt of the hospital's request for review.

d) Cost Report Reviews. Cost reports are required from: 1) all enrolled hospitals within the State of Illinois; and 2) all out-of-state hospitals anticipating or providing 200 inpatient days of service per hospital fiscal year, to persons covered by the Illinois Medical Assistance Program. The completed cost statement with a copy of the hospital's Medicare cost report and audited financial statement must be submitted annually within 90 days of the close of the hospital's fiscal year. A one-time 30-day extension may be requested. Such a request for an extension shall be in writing and shall be received by the Department's Office of Health Finance prior to the end of the 90-day filing period. The Office of Health

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Section 148.310 Review Procedure (Cont'd)
EMERGENCY

Finance shall audit the information shown on the Hospital Statement of Reimbursable Cost and Support Schedules. The audit shall be made in accordance with generally accepted auditing standards and shall include tests of the accounting and statistical records and applicable auditing procedures. Hospitals shall be notified of the results of the final audited cost report which may contain adjustments and revisions which may have resulted from the audited Medicare Cost Report. Hospitals shall have the opportunity to request a review of the final audited cost report. Such a request must be received in writing by the Department within 45 days of the date of the Department's notice to the hospital of the results of the finalized audit. Such request shall include all items of documentation and analysis which support the request for review. No additional data shall be accepted after the 45 day period. The Department shall notify the hospital of the results of the review within 30 days of receipt of the hospital's request for review.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.320 Alternatives
EMERGENCY

a) The provisions of Sections ~~148.200~~-148.240 through 148.310 of this rule shall be in effect during the fiscal year for so long as the Director of the Department finds that:

1) The total number of hospitals agreeing to be reimbursed pursuant to the provisions of this rule is sufficient to assure that medical assistance recipients have reasonable access to hospital services. In making this determination, factors considered by the Department include but are not limited to service availability and the number of recipients within a geographic area, recipient travel time to obtain services, and availability of a range of services within the geographic area.

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Section 148.320 Alternatives (Cont'd)
EMERGENCY

2) The provisions are approved by the Department of Health and Human Services in the State Title XIX Plan.

3) The Department has not been enjoined, restrained of otherwise delayed or prohibited by Court order or actions of entities other than the Department from enforcing the provisions.

b) If any of the conditions specified above fail to occur, alternative service coverage and reimbursement limitations shall be implemented to assure that payments for hospital services during a fiscal year will be approximately the same as would have been made under this rule.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

Section 148.400 Special Hospital Reporting Requirements
EMERGENCY

Corrective Action Plans. Hospitals are responsible for assuring that services provided to Medicaid program participants meet or exceed the appropriate standards for care. Any provider that is under any corrective action plan(s), while enrolled with the Department, by any licensing, certification and/or accreditation authority, including, but not limited to, the Illinois Department of Public Health, the Federal Department of Health and Human Services, a peer review organization, and/or the Joint Commission for Accreditation of Health Care Organization, must report the request for such corrective action plans to the Department.

(Source: Emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days)

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1) The Heading of the Part: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

2) Code Citation: 89 Ill. Adm. Code 149

3) Section Numbers: Emergency Action:

149.5	Amendment
149.25	Amendment
149.50	Amendment
149.75	Amendment
149.100	Amendment
149.105	Amendment
149.125	Amendment
149.150	Amendment
149.175	Repealed
149.200	Repealed
149.205	Repealed
149.225	Repealed
149.250	Repealed
149.275	Repealed
149.300	Repealed
149.305	Repealed
149.325	Repealed

4) Statutory Authority: Sections 5-5.1 et seq. of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq.)

5) Effective Date of Emergency Amendments: November 1, 1991

6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable

7) Date Filed in Agency's Principal Office: November 1, 1991

8) Reason for Emergency: The Department has determined that the health and welfare of persons affected by this rulemaking would be adversely impacted absent its immediate implementation.

9) A Complete Description of the Subjects and Issues Involved: This rulemaking sets forth the basis of payment for inpatient hospital services under the Diagnostic Related Grouping (DRG) Prospective Payment System (PPS). This rulemaking also deletes provisions related to the

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Illinois Competitive Access and Reimbursement Equity Program (ICARE).

These changes are estimated to increase the Department's aggregate expenditues for inpatient hospital services by $510 million in Fiscal Year 1992.

10) Are there any Proposed Amendments pending to this Part? No

11) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

12) Information and questions regarding these Emergency Amendments shall be directed to:

Name: Daniel Leikvold, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except in Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

The full text of the Emergency Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 149
ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

Section
149.5 EMERGENCY ~~Illinois Competitive Access and Reimbursement Equity (ICARE) Program~~ Diagnosis Related Grouping (DRG) Prospective Payment System (PPS)
149.25 EMERGENCY ~~Definition of Terms~~ General Provisions
149.50 EMERGENCY ~~Notification of Negotiations~~ Hospital Services Subject to and Excluded from the DRG Prospective Payment System
149.75 EMERGENCY ~~Hospital Participation in ICARE Program Negotiations~~ Conditions for Payment Under the DRG Prospective Payment System
149.100 EMERGENCY ~~Negotiation Procedures~~ Basic Methodology for Determining DRG Prospective Payment Rates
149.105 EMERGENCY ~~Factors Considered In Awarding ICARE Contracts~~ Payment For Outlier Cases
149.125 EMERGENCY ~~Closing an ICARE Area~~ Special Treatment of Certain Facilities
149.150 EMERGENCY ~~Administrative Review~~ Payments to Hospitals Under the DRG Prospective Payment System
149.175 EMERGENCY Payments to Contracting Hospitals (Repealed)
149.200 EMERGENCY Admitting and Clinical Privileges (Repealed)
149.205 EMERGENCY Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Repealed)
149.225 EMERGENCY Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Repealed)
149.250 EMERGENCY Contract Monitoring (Repealed)
149.275 EMERGENCY Transfer of Recipients (Repealed)
149.300 EMERGENCY Validity of Contracts (Repealed)
149.305 EMERGENCY Termination of ICARE Contracts (Repealed)
149.325 EMERGENCY Hospital Services Procurement Advisory Board (Repealed)

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AUTHORITY: Implementing Article II of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Recodified from 89 Ill. Adm. Code 140.940 thru 140.972 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. at 12095, effective July 15, 1988; amended at 13 Ill. Reg. 554, effective January 1, 1989; amended at 13 Ill. Reg. 15070, effective September 15, 1989; amended at 15 Ill. Reg. 1826, effective January 28, 1991; emergency amendment at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 149.5 EMERGENCY ~~Illinois Competitive Access and Reimbursement Equity (ICARE) Program~~ Diagnosis Related Grouping (DRG) Prospective Payment System (PPS)

~~a) Pursuant to Public Act 83-1243 the Department, in consultation with the Hospital Services Procurement Advisory Board, shall negotiate and enter into contracts with hospitals for the provision of inpatient hospital care to recipients. The Department shall refuse payment after closure of the ICARE area as defined in Section 149.125 for inpatient hospital care provided to recipients by non contracting hospitals in the ICARE area except as identified in Section 149.205.~~

~~b) Recipients of Medical assistance, regardless of where they reside, may choose to receive inpatient hospital services at either a contracting hospital or a member of a contracting group of hospitals located within an ICARE area or at a participating hospital located within a non contracting area. An eligible recipient's freedom of choice to seek inpatient hospital care at a non contracting hospital located within an ICARE area is limited by the provisions of Section 149.205.~~

Sections 149.25 through 149.150 describe:

a) The basis of payment for inpatient hospital services

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Section 149.5 EMERGENCY ~~Illinois Competitive Access and Reimbursement Equity (ICARE) Program~~ Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (Cont'd)

under the DRG PPS and sets forth the general basis for the system;

b) Classifications of hospitals that are included and excluded from the DRG PPS and the requirements governing inclusion or exclusion of hospitals in the system as a result of changes in their classification;

c) Conditions that must be met for a hospital to receive payment under the DRG PPS;

d) The methodology by which DRG prospective rates are determined;

e) The methodology for determining additional payments for outlier cases;

f) The rules for special treatment of certain facilities; and

g) The types, amounts and methods of payment to hospitals under the DRG PPS.

(Source: Emergency amendment at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

Section 149.25 EMERGENCY ~~Definition of Terms~~ General Provisions

~~a) The following terms as used in these rules are defined as follows:~~

~~b) "AMI" means those persons receiving Medical Assistance under Article VII of the Illinois Public Aid Code (Ill. Rev. Stat. 1983, ch. 23, pars. 7-1 et seq.);~~

~~c) "Board" means "Hospital Services Procurement Advisory Board";~~

~~d) "Contracting Hospital" means a hospital awarded a contract for the provision of inpatient hospital care through the ICARE Program;~~

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Section 149.25 ~~Definition of Terms~~ General Provisions
EMERGENCY (Cont'd)

~~e) "Department" means the Illinois Department of Public Aid;~~

~~f) "Director" means the Director of the Illinois Department of Public Aid;~~

~~g) "Direct Teaching Costs" means direct teaching costs as defined by Medicare at 42 CFR 405.421 (1984);~~

~~h) "HOSPITAL" MEANS ANY INSTITUTION, PLACE, BUILDING, AGENCY, PUBLIC OR PRIVATE, WHETHER ORGANIZED FOR PROFIT OR NOT FOR PROFIT, WHICH IS SUBJECT TO LICENSURE BY THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH UNDER THE HOSPITAL LICENSING ACT (Ill. Rev. Stat. 1983, ch. 111 1/2, par. 142 et seq.) or meeting all comparable conditions and requirements in effect for the state in which it is located, AND THE UNIVERSITY OF ILLINOIS HOSPITAL AS DEFINED IN "AN ACT IN RELATION TO THE FOUNDING AND OPERATION OF THE UNIVERSITY OF ILLINOIS HOSPITAL AND THE CONDUCT OF UNIVERSITY OF ILLINOIS HEALTH CARE PROGRAMS" (Ill. Rev. Stat. 1983, ch. 23, par. 1271 et seq.) (statutory language from Section 3-1(f) of the Illinois Health Finance Reform Act, Ill. Rev. Stat. 1984 Supp., ch. 111 1/2, par. 6503-1(f));~~

~~i) "ICARE Program" means Illinois Competitive Access and Reimbursement Equity Program;~~

~~j) "ICARE area" means a geographic area designated by the Department as eligible for the Illinois Competitive Access and Reimbursement Equity (ICARE) Program and determined by the Department as eligible for the Illinois Competitive Access and Reimbursement Equity (ICARE) Program to be an entity based upon population, travel time, natural boundaries, and customary health services delivery patterns;~~

~~k) "INPATIENT" MEANS A PATIENT WHO IS PROVIDED WITH ROOM, BOARD, AND CONTINUOUS GENERAL NURSING SERVICES IN AN AREA OF THE HOSPITAL WHERE PATIENTS GENERALLY STAY AT LEAST OVERNIGHT (Ill. Rev. Stat. 1984 Supp., ch. 111 1/2, par. 6502-1(g));~~

~~l) "Inpatient hospital care" means the care provided to a recipient after admission to a hospital while he is in a hospital, including all such related services as historically reported on the hospital's Medicaid cost report but shall not include inpatient hospital care provided to recipients enrolled in health maintenance organizations under contract with the Department;~~

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Section 149.25 ~~Definition of Terms~~ General Provisions
EMERGENCY (Cont'd)

~~m) "Inpatient services" means the same as inpatient hospital care;~~

~~n) "LICENSED PHYSICIAN" MEANS A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN ALL OF ITS BRANCHES (Ill. Rev. Stat. 1984 Supp., ch. 111 1/2, par. 6503-1(i));~~

~~o) "Medicaid" means Title XIX of the federal Social Security Act (42 U.S.C.A. §§ 1396 et seq. (1983));~~

~~p) "MEDICAL ASSISTANCE" MEANS PAYMENTS MADE BY THE ILLINOIS DEPARTMENT OF PUBLIC AID FOR HEALTH CARE SERVICES RENDERED TO PERSONS ELIGIBLE FOR MEDICAL ASSISTANCE UNDER ARTICLES V, VI AND VII OF THE ILLINOIS PUBLIC AID CODE (Ill. Rev. Stat. 1983, ch. 23, pars. 5-1 et seq., 6-1 et seq. and 7-1 et seq.) (statutory language from Ill. Rev. Stat. 1984 Supp., ch. 111 1/2, par. 6503-1(k));~~

~~q) "Medicare" means Title XVIII of the federal Social Security Act;~~

~~r) "Non-Contracting Hospital" means those hospitals which either elect not to enter into negotiations with the Department for the provision of inpatient services under the ICARE Program, or who have not been awarded a contract by the Department for the provision of inpatient services under the ICARE Program. Non-contracting applies only to those hospitals located within a geographic area defined by the Department as eligible for the ICARE Program;~~

~~s) "RECIPIENT" MEANS A RECIPIENT OF AID UNDER ARTICLES V, VI OR VII OF THE ILLINOIS PUBLIC AID CODE (Ill. Rev. Stat. 1983, ch. 23, pars. 5-1 et seq., 6-1 et seq., or 7-1 et seq.) (statutory language from Ill. Rev. Stat. 1984 Supp., ch. 111 1/2, par. 6503-1(n)).~~

a) Basis of Payment

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Section 149.25 ~~Definition of Terms~~-General Provisions (Cont'd)
EMERGENCY

1) Payment on a Per Discharge Basis

A) Under the DRG PPS, hospitals are paid a predetermined amount per discharge for inpatient hospital services furnished to persons receiving coverage under the Medicaid Program.

B) The DRG prospective payment rate for each discharge (as defined in subsection (b) below) is determined according to the methodology described in Sections 149.100 and 149.150, as appropriate. An additional payment is made, in accordance with Sections 149.105 and 149.125, as appropriate.

2) Payment in Full

(A) The DRG prospective payment amount paid for inpatient hospital services is the total Medicaid payment for the inpatient operating costs (as described in subsection (a)(3) below) incurred in furnishing services covered under the Medicaid Program.

B) Except as provided for in subsection (b) below, the full DRG prospective payment amount, as determined under Sections 149.100 and 149.150, as appropriate, is made for each stay during which there is at least one Medicaid eligible day of care.

3) Inpatient Operating Costs. The DRG PPS provides a payment amount for inpatient operating costs, including:

A) Operating costs for routine services (as described in 42 CFR 413.53(b), revised as of September 1, 1990), such as the costs of room, board, and routine nursing services;

B) Operating costs for ancillary services, such as radiology and laboratory services furnished to hospital inpatients;

C) Special care unit operating costs (intensive

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Section 149.25 ~~Definition of Terms~~-General Provisions (Cont'd)
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care type unit services as described in 42 CFR 413.53(b), revised as of September 1, 1990); and

D) Malpractice insurance costs related to services furnished to inpatients.

4) Excluded Costs/Services. The following inpatient hospital costs are excluded from the DRG prospective payment amounts:

A) Transplant costs including acquisition costs incurred by approved transplantation centers as described in 89 Ill. Adm. Code 148.80. Kidney and cornea transplant costs shall be reimbursed under the appropriate methodology described in Sections 149.10 and 149.150 or in 89 Ill. Adm. Code 148.240 through 148.300. Kidney acquisition costs shall be reimbursed in accordance with Section 149.150(c)(5).

B) Costs of psychiatric services incurred by a provider enrolled with the Department to provide those services (category of service 21). Such services shall be reimbursed under 89 Ill. Adm. Code 148.270(b).

C) Costs of nonemergency psychiatric services incurred by a provider that is not enrolled with the Department to provide those services (category of service 21). Such services shall not be eligible for reimbursement.

D) Costs of emergency psychiatric services exceeding the maximum of three days emergency treatment incurred by a provider that is not enrolled with the Department to provide those services (DRGs 424-432). Such services exceeding the maximum of 3 days shall not be eligible for reimbursement.

E) Costs of physical rehabilitation services incurred by a provider enrolled with the Department to provide those services

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Section 149.25 ~~Definition of Terms~~-General Provisions
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(category of service 22). Such services shall be reimbursed under 89 Ill. Adm. code 148.270(b).

5) Additional Payments to Hospitals. In addition to payments based on the DRG prospective payment rates, hospitals will receive payments for the following:

A) Atypically long or extraordinarily costly (outlier) cases, as described in 89 Ill. Adm. Code 149.105.

B) Costs excluded from the prospective payment rate under subsection (a)(4) above.

C) The cost of serving a disproportionately high share of low income patients and providing uncompensated care to low income persons (as defined and determined in Section 149.125).

D) Uncompensated care costs for nondisproportionate share hospitals (as defined and determined in Section 149.125).

E) Kidney Acquisition Costs in accordance with Section 149.150(c)(5).

F) Administration of blood clotting factor to hemophiliacs who are hospital inpatients in accordance with Section 149.150(c)(6).

b) Discharges and Transfers

1) Discharges. A hospital inpatient is considered discharged when any of the following occurs:

A) The patient is formally released from the hospital except when the patient is transferred to another hospital or a distinct part unit as described in Section 149.50(d) (see subsection (b)(2) below).

B) The patient dies in the hospital.

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2) Transfers. A hospital inpatient is considered transferred when the patient is placed in the care of another hospital or a distinct part unit as described in Section 149.50(d).

3) Payment in Full to the Discharging Hospital. The hospital discharging an inpatient (subsection (b)(1)(A) above) is paid in full, in accordance with subsection (a)(2) above unless the discharging hospital or distinct part unit is excluded from the DRG PPS as described in Section 149.50(b), (c) and (d). In the event the discharging hospital or distinct part unit is excluded from the DRG PPS, the excluded hospital or distinct part unit shall receive payment in full in accordance with 89 Ill. Adm. Code 148.240 through 148.300.

4) Payment to a Hospital Transferring an Inpatient to Another Hospital or Distinct Part Unit

A) A hospital reimbursed under the DRG PPS that transfers an inpatient, under the circumstances described in subsection (b)(2), is paid a per diem rate for each day of the patient's stay in that hospital but the total reimbursement shall not exceed the amount that would have been paid under Section 149.100 if the patient had been discharged. The per diem rate is determined by dividing the appropriate prospective payment rate (as determined under Section 149.100) by the geometric length of stay for the specific DRG to which the case is classified.

B) Except, if a discharge is classified into DRG 385 (neonates, died or transferred to another acute care facility) or DRG 456 (burns, transferred to another acute care facility), and the hospital is reimbursed under the DRG PPS, the transferring hospital is paid in accordance with subsection (a)(2).

C) A transferring hospital reimbursed under the DRG PPS may qualify for an additional

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payment for extraordinarily high cost cases that meet the criteria for cost outliers as described in Section 149.105.

D) A hospital or distinct part unit excluded from the DRG PPS, as described in Section 149.50(b), (c) or (d), that transfers an inpatient under the circumstances described in subsection (b)(2) of this Section, is reimbursed in accordance with 89 Ill. Adm. Code 148.240 through 148.300.

c) Admissions Prior to September 1, 1991. With respect to admissions prior to September 1, 1991, hospitals will receive their per diem reimbursement rate that was in effect July 1, 1991 for each covered day of care provided through the discharge of the patient.

d) DRG Classification System

1) The Department will utilize the HCFA Medicare grouper, Version 8.0, modified to handle additional DRGs and ICD-9-CM codes, as defined by the Department, to place claims into DRG payment classifications.

2) The Department will define additional DRGs that, for hospitals designated as Level III perinatal centers by the Illinois Department of Public Health, replace DRG 385 (neonates, died or transferred to another acute care facility), DRG 386 (extreme immaturity or respiratory distress syndrome, neonate), DRG 387 (prematurity with major problems) and DRG 389 (full term neonate with major problems).

(Source: Emergency amendment at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

Section 149.50 ~~Notification of Negotiations~~ Hospital
EMERGENCY Services Subject to and Excluded from the DRG Prospective Payment System

~~The Department shall notify in writing by certified or registered mail, return receipt requested, all hospitals within an ICARE area that it intends to open negotiations for the purpose of contracting for inpatient hospital care provided to recipients. The hospital shall have ten (10) calendar days after receipt of the Department's notification to notify the Department of its interest, or lack of interest, in participating in the ICARE Program. Direct contact to the Department by the hospital within the (10) calendar days is acceptable, but must be followed by certified or registered mail, notifying the Department of the hospital's intent to participate. Failure of the hospital to respond within ten (10) calendar days shall result in exclusion from negotiations and thus exclusion from the possibility of receiving a contract under the ICARE Program.~~

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Section 149.50 ~~Notification of Negotiations~~ Hospital
EMERGENCY Services Subject to and Excluded from the DRG Prospective Payment System (Cont'd)

a) Hospital Services Subject to the DRG Prospective Payment System

1) Except for services described in Section 149.25(a)(4) and subsection (b)(2) below, all covered inpatient hospital services furnished to persons receiving coverage under the Medicaid Program are paid for under the DRG PPS.

2) Inpatient hospital services will not be paid for under the DRG PPS under any of the following circumstances:

A) The services are furnished by a hospital (or distinct part hospital unit) explicitly excluded from the DRG PPS under subsections (c) through (d).

B) The services are furnished by a nonparticipating out-of-state hospital (as described in subsection (c)(5)).

C) The services are furnished by a hospital that elects to be reimbursed under special arrangements (as described in subsection (c)(6)) in the transition period of DRG PPS implementation.

D) The services are furnished by a sole community hospital (as defined in Section

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Section 149.50 ~~Notification of Negotiations~~ Hospital Services Subject to and Excluded from the DRG Prospective Payment System (Cont'd)
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149.125(b)) that has elected to be excluded from the DRG PPS in accordance with subsection (c)(7).

E) The payment for services is covered by a health maintenance organization (HMO).

b) Excluded Hospitals and Hospital Units: General Rules

1) Criteria. A hospital will be excluded from the DRG PPS if it meets the criteria for one or more of the excluded classifications described in subsection (c) below.

2) Alternate Reimbursement System. All excluded hospitals (and excluded distinct part hospital units, as described in subsection (d) below) are reimbursed under the Alternate Reimbursement Systems set forth in 89 Ill. Adm. Code 148.240 through 148.300 with the exception of those hospitals described in subsection (c)(8). The hospitals described in subsection (c)(8) are reimbursed in accordance with 89 Ill. Adm. Code 148.160 or 148.170, as appropriate.

c) Excluded Hospitals: Classifications. Hospitals that meet the requirements for the classifications set forth in this section may not be reimbursed under the DRG Prospective Payment System.

1) Psychiatric Hospitals. A psychiatric hospital must:

A) Be primarily engaged in providing, by or under the supervision of psychiatrist, psychiatric services for the diagnosis and treatment of mentally ill persons; and

B) Be enrolled with the Department as a psychiatric hospital and have a Provider Agreement to participate in the Medicaid Program.

2) Rehabilitation Hospitals. A rehabilitation hospital must:

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Section 149.50 ~~Notification of Negotiations~~ Hospital Services Subject to and Excluded from the DRG Prospective Payment System (Cont'd)
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A) Hold a valid license as a physicial rehabilitation hospital; and

B) Be enrolled with the Department as a rehabilitation hospital and have a Provider Agreement to participate in the Medicaid Program.

3) Children's Hospitals. A children's hospital must:

A) Be engaged in furnishing services to inpatients who are predominately individuals under 18 years of age; and

B) Have a Provider Agreement to participate in the Medicaid Program.

4) Long Term Care Hospitals. A long term care hospital must:

A) Not be a psychiatric hospital, as described in subsection (c)(1) above, a rehabilitation hospital as described in subsection (c)(2) above, or a children's hospital as described in subsection (c)(3) above and must have an average length of inpatient stay greater than 25 days: as computed by dividing the number of total inpatient days (less leave or pass days) by the number of total discharges for the most recent fiscal year (i.e., Fiscal Year 1991 for Fiscal Year 1992 payments); and

B) Have a Provider Agreement to participate in the Medicaid Program.

5) Hospitals Outside of Illinois that are Exempt from Cost Reporting Requirements. A hospital is excluded from the DRG PPS if it meets the following definition: a nonparticipating out-of-state hospital is a hospital from out-of-state that provides fewer that 200 Illinois Medicaid days annually and that does not file an Illinois Medicaid cost report.

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Section 149.50 ~~Notification of Negotiations~~ Hospital Services Subject to and Excluded from the DRG Prospective Payment System (Cont'd)
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6) Hospitals Reimbursed Under Special Arrangements. During the transition period of the DRG PPS implementation, hospitals that, on August 31, 1991, had a contract with the Department under the ICARE Program, pursuant to Section 3-4 of the Illinois Health Finance Reform Act, may elect to continue to be reimbursed at rates stated in such contracts for general and specialty care for services provided on or after September 1, 1991.

7) Sole Community Hospitals. Hospitals described in Section 149.125(b), which have elected to be excluded from the DRG PPS.

8) County-Owned Hospitals and State-Owned Hospitals. County-owned hospitals and State-owned hospitals located in a county with a population greater than three million are excluded from the DRG system and are reimbursed under unique hospital-specific reimbursement methodologies as described in 89 Ill. Adm. Code 148.160 and 148.170.

d) Excluded Distinct Part Hospital Units.

1) Distinct Part Psychiatric Units. With the exception of those hospitals described in subsections (c)(1) through (c)(8), a hospital enrolled with the Department to provide inpatient psychiatric services (category of service 21) shall be excluded from the DRG PPS for the reimbursement of such inpatient psychiatric services and shall be reimbursed in accordance with 89 Ill. Adm. Code 148.270(b).

2) Distinct Part Rehabilitation Units. With the exception of those hospitals described in subsections (c)(1) through (c)(8), a hospital enrolled with the Department to provide inpatient rehabilitation services (category of service 22) shall be excluded from the DRG PPS for the reimbursement of such inpatient rehabilitation

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Section 149.50 ~~Notification of Negotiations~~ Hospital Services Subject to and Excluded from the DRG Prospective Payment System (Cont'd)
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services and shall be reimbursed in accordance with 89 Ill. Adm. Code 148.270(b).

(Source: Emergency amendment at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

Section 149.75 ~~Hospital Participation in ICARE Program Negotiations~~ Conditions for Payment Under the DRG Prospective Payment System
EMERGENCY

~~a) Upon notification by the Department that negotiations are scheduled for an ICARE area or areas, each hospital shall choose one of the following two alternatives for the method of its participation:~~

~~1) The hospital may elect to negotiate with the Department for the provision of inpatient hospital care to recipients as an individual hospital; or~~

~~2) The hospital may elect to negotiate with the Department for the provision of inpatient hospital care to recipients as a member of a group of hospitals providing inpatient hospital care to recipients living or residing in an ICARE area or ICARE areas in which the Department has notified hospitals of its intent to open negotiations. Each group shall be treated by the Department as a single contracting entity. No more than three (3) representatives of the group may attend negotiations. Offers made by the identified representative or representatives of the group shall be binding upon each member of the group. The negotiation procedures contained in Section 149.100 shall apply to all negotiations whereby a group of hospitals negotiates with the Department as a single contracting entity.~~

~~b) Nothing in subsection (a) shall prevent those hospitals which provide services under contract with another hospital from negotiating with the Department as an individual hospital.~~

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Section 149.75 EMERGENCY — ~~Hospital Participation in ICARE Program~~ Negotiations-Conditions for Payment Under the DRG Prospective Payment System (Cont'd)

~~e) Each hospital must notify the Department by registered or certified mail, return receipt requested, no later than fourteen (14) calendar days after the first meeting of its decision to participate in the ICARE Program as either a member of a group of hospitals or as an individual hospital.~~

~~d) In cases in which a group of hospitals negotiates with the Department as a single contracting entity, the Department shall have the right at any time during negotiations to terminate such negotiations and negotiate and enter into a contract or contracts with one or more of the hospitals in the group. At any time during the negotiations, all hospitals comprising a group of hospitals negotiating with the Department as a group may collectively and unanimously request in writing that the Department terminate negotiations with these hospitals as a group. In determining whether to terminate negotiations with hospitals as a group, the Department shall consider the status and progress of the negotiations with the group to date and shall additionally examine whether the individual hospitals in the group offer types of services which are not offered by other hospitals in the group and which complement the type of services offered by the hospitals in that group to ensure the availability of inpatient hospital services as provided in Sections 149.105(a)(3) and (4). An individual hospital previously negotiating as a member of a group of hospitals for which group negotiations have been terminated has the right to negotiate with the Department as a single hospital, if such hospital, within 10 days of receiving notification of the Department's termination of negotiations with the group of hospitals, notifies the Department, by certified or registered mail, return receipt requested, of its interest in participating in the ICARE Program as a single hospital.~~

a) General Requirements

1) A hospital must meet the conditions of this Section to receive payment under the DRG PPS for inpatient hospital services furnished to persons receiving coverage under the Medicaid Program.

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Section 149.75 EMERGENCY — ~~Hospital Participation in ICARE Program~~ Negotiations-Conditions for Payment Under the DRG Prospective Payment System (Cont'd)

2) If a hospital fails to comply fully with these conditions with respect to inpatient hospital services furnished to one or more Medicaid clients, the Department may, as appropriate:

A) Withhold Medicaid payment (in full or in part) to the hospital until the hospital provides adequate assurances of compliance; or

B) Terminate the hospital's Provider Agreement.

b) Hospital Utilization Control

Hospitals shall comply with the hospital utilization control requirements of 42 CFR, Ch. IV, Part 456, Subparts C, D and G, as appropriate.

c) Medical Review Requirements: Admissions and Quality Review

Hospital utilization review committees, a subgroup of the utilization review committee, or the hospital's designated professional review organization (PRO) shall review, on an ongoing basis, the following:

1) The medical necessity, reasonableness and appropriateness of inpatient hospital admissions and discharges.

2) The medical necessity, reasonableness and appropriateness of inpatient hospital care for which additional payment is sought under the outlier provisions of Section 149.105.

3) The validity of the hospital's diagnostic and procedural information.

4) The completeness, adequacy and quality of the services furnished in the hospital.

5) Other medical or other practices with respect to program participants or billing for services furnished to program participants.

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Section 149.75 ~~Hospital Participation in ICARE Program Negotiations~~-Conditions for Payment Under the DRG Prospective Payment System (Cont'd)
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d) Medical Review Requirements: DRG Validation

1) Physician attestation. Beginning with admissions on or after September 1, 1991, for which the discharge occurs on or after December 15, 1991, the attending physician must, shortly before, at, or shortly after discharge (but before a claim is submitted), attest to the principal diagnosis, secondary diagnoses, and names of major procedures performed. The information must be in writing in the medical record and, except as provided in subseciton (c)(2) below, the physician must sign the statement. Below the diagnostic and procedural information, and on the same page, the following statement must immediately precede the physician's dated signature: "I certify that the narrative descriptions of the principal and secondary diagnoses and the major procedures performed are accurate and complete to the best of my knowledge." The physician's name must be typed or clearly printed and appear on the same page as the physician's signature.

2) Alternative signature requirement. The attending physician's signature, along with the other information required in subsection (c)(1), may be provided by electronic means through a hospital data system if the hospital's Title XVIII (Medicare) intermediary has determined that the hospital data system meets the guidelines established by the Health Care Financing Administration, U.S. Department of Health and Human Services, under the Medicare Program.

3) DRG Validation. The Department or its designee may require and perform prepayment review and/or postpayment review of specific diagnosis and procedure codes.

4) Sample Reviews

A) The Department, or its designee, may review a random sample of discharges to verify that the diagnostic and procedural coding,

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submitted by the hospital and used by the Department for DRG assignment, is substantiated by the corresponding medical records.

B) Code validation must be done on the basis of a review of medical records and, at the Department's discretion, may take place at the hospital or away from the hospital site.

5) Revision of Coding

A) If the diagnostics and procedural information, attested to by the attending physician, is found to be inconsistent with the hospital's coding, the hospital shall be required to provide the appropriate coding and the Department shall recalculate the payment on the basis of the revised coding.

B) If the information attested to by the physician as stipulated under subsection (c)(5)(A) is found not to be consistent with the medical record, the hospital shall be required to provide the appropriate coding and the Department shall recalculate the payment on the basis of the revised coding.

e) Medical Review Requirements: The Department, or its designee, may conduct pre-admission, concurrent, pre-payment, and/or post-payment reviews of:

1) The medical necessity, reasonableness and appropriateness of inpatient hospital admissions and discharges.

2) The quality and/or the nature of the utilization of health services.

3) The medical necessity, reasonableness and appropriateness of inpatient hospital care for which additional payment is sought under the outlier provisions of Section 149.105.

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4) The validity of the hospital's diagnostic and procedural information.

5) The completeness, adequacy and quality of the services furnished in the hospital.

6) Other medical or other practices with respect to program participants or billing for services furnished to program participants.

Hospitals shall be notified at least thirty (30) days in advance of any pre-admission, concurrent, or pre-payment review requirements imposed by the Department.

f) Denial of Payment as a Result of Admissions, Transfers and Quality Review

1) If the Department determines that a hospital has misrepresented admissions, discharges, or billing information, or has taken an action that results in the unnecessary admission or inappropriate discharge of a program participant, unnecessary multiple admissions of a program participant, unnecessary transfer of a program participant, or other inappropriate medical or other practices with respect to program participants or billing for services furnished to program participants, the Department may, as appropriate:

A) Deny payment (in whole or in part) with respect to inpatient hospital services provided with respect to such an unnecessary admission, subsequent readmission or transfer of an individual.

B) Require the hospital to take action necessary to prevent or correct the inappropriate practice.

C) Perform prepayment review in accordance with 89 Ill. Adm. Code 148.240.

2) When payment with respect to the discharge of an individual patient is denied by the Department, or its designee, under subsection (f)(1)(A), a

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Section 149.75 EMERGENCY ~~Hospital Participation in ICARE Program Negotiations~~ Conditions for Payment Under the DRG Prospective Payment System (Cont'd)

reconsideration will be provided within 30 days, upon the request of a practitioner or provider, if such request is the result of the designee's own medical necessity or appropriateness of care denial determination and is received within 60 days of the Advisory Notice.

3) A determination under subsection (f)(1) above, if it is related to a pattern of inappropriate admissions and billing practices that has the effect of circumventing the prospective payment system, may result in actions specified in subsection (a)(2) above.

e) Furnishing of Inpatient Hospital Services Directly or Under Arrangements

1) The applicable payments made under the PPS are payment in full for all inpatient hospital services other than for the services of nonhospital-based physicians to individual program participants and the services of certain hospital-based physicians as described in subsections (e)(1)(B)(i) through (e)(1)(B)(v) below.

A) Hospital-based physicians who may not bill separately on a fee for service basis

i) A physician whose salary is included in the hospital's cost report for direct patient care may not bill separately on a fee-for-service basis.

ii) A teaching physician who provides direct patient care may not bill separately on a fee-for-service basis if the salary paid to the teaching physician by the hospital or other institution includes a component for treatment services.

B) Hospital-based physicians who may bill separately on a fee-for-service basis

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~~Hospital Participation in ICARE Program Negotiations~~ Conditions for Payment Under the DRG Prospective Payment System (Cont'd)

i) A physician whose salary is not included in the hospital's cost report for direct patient care may bill separately on a fee-for-service basis.

ii) A teaching physician who provides direct patient care may bill separately on a fee-for-service basis if the salary paid to the teaching physician by the hospital or other institution does not include a component for treatment services.

iii) A resident may bill separately on a fee-for-service basis when, by the terms of his or her contract with the hospital, he or she is permitted to and does bill private patients and collect and retain the payments received for those services.

iv) A hospital-based specialist who is salaried, with the cost of his or her services included in the hospital reimbursement costs, may bill separately on a fee-for-service basis when, by the terms of his or her contract with the hospital, he or she may charge for professional services and do, in fact, bill private patients and collect and retain the payments received.

v) A physician holding a nonteaching administrative or staff position in a hospital or medical school may bill separately on a fee-for-service basis to the extent that he or she maintains a private practice and bills private patients and collects and retains payments made.

Charges are to be submitted on a fee-for-service basis only when the physician seeking reimbursement has been

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~~Hospital Participation in ICARE Program Negotiations~~ Conditions for Payment Under the DRG Prospective Payment System (Cont'd)

personally involved in the services being provided. In the case of surgery, it means presence in the operating room, performing or supervising the major phases of the operation, with full and immediate responsibility for all actions performed as a part of the surgical treatment.

(Source: Emergency amendment at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

Section 149.100 EMERGENCY

~~Negotiation Procedures~~ Basic Methodology for Determining DRG Prospective Payment Rates

~~a) Contract negotiations will be conducted by the Department's Contracting Officer or a person designated in writing by the Contracting Officer to act in his behalf and no more than three (3) representatives of the negotiating hospital or group of hospitals. No more than three Department representatives, including the Contracting Officer or his designee, may be present at any meeting at which negotiations may occur. To assure the confidentiality of the negotiating process and to protect proprietary or confidential or privileged commercial or financial information which is disclosed during negotiations, no individual, corporation, company, partnership, association or other entity may represent at any negotiation session or meeting with the Department more than one negotiating hospital or group of hospitals in any negotiations carried out under the ICARE Program. This subsection does not preclude any such individual, corporation, company, partnership, association or other entity from continuing to represent a hospital or group of hospitals in any renegotiation proceedings concerning such hospital or group of hospitals, nor does it preclude any such individual, corporation, company, partnership, association or other entity from representing more than one hospital in cases where a group of hospitals negotiates to provide inpatient hospital care as a single contracting entity pursuant to 89 Ill. Adm. Code 140.946 or where such representation is performed for more than one hospital where such hospitals are~~

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Section 149.100 EMERGENCY — Negotiation-Procedures-Basic Methodology for Determining DRG Prospective Payment Rates (Cont'd)

owned-by-a-common-owner-or-managed-by-the-same-corporate-management-service.

b) The-Department-will-notify-of-the-first-meeting-date-by-telephone-communication,-confirmed-by-certified-or-registered-mail,-return-receipt-requested,-each-hospital-which-has-notified-the-Department-of-its-interest-in-participation-within-ten-(10)-calendar-days-after-receipt-of-the-Department's-written-notification-of-the-opening-of-an-ICARE-area-under-Section-149.50.--The-first-meeting-is-designed-to-familiarize-the-hospital-with-the-ICARE-Program,-explain-the-negotiating-and-contracting-process,-respond-to-questions-the-hospital-or-hospitals-may-have-regarding-the-ICARE-Program,-and-allow-the-Department-negotiator-and-hospital-representative-or-representatives-to-become-acquainted.--Nothing-herein-shall-prevent-the-institution-of-preliminary-or-initial-negotiations-during-the-first-meeting.

c) The-Department-shall-provide-each-hospital,-which-has-notified-the-Department-within-ten-(10)-calendar-days-of-its-interest-in-participation-under-Section-149.50,-with-a-copy-of-proposed-contract-provisions-prior-to-the-first-meeting-by-mailing-such-proposed-contract-provisions-with-written-notice-of-the-date-of-the-first-meeting.

d) No-later-than-the-first-meeting-date,-the-hospital-or-hospitals-shall-submit-to-the-Department-a-completed-Provider-Data-Sheet-to-enable-the-Department-to-assure-its-receipt-and-examination-of-the-information-it-must-consider-under-Section-149.105(a).--The-Department-shall-furnish-with-its-initial-notification-to-hospitals-of-intent-to-open-negotiations-the-form-of-such-Provider-Data-Sheet.--The-Provider-Data-Sheet-shall-require:

1) Identification-of-the-types-and-the-quantities-of-services-which-the-hospital-believes-to-be-specialized-services-that-have-been-provided-to-recipients-during-the-most-recent-two-completed-state-fiscal-years;

2) Identification-of-all-types-of-services-intended-

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Section 149.100 EMERGENCY — Negotiation-Procedures-Basic Methodology for Determining DRG Prospective Payment Rates (Cont'd)

to-be-offered-under-contract-which-the-hospital-has-not-provided-to-recipients-during-the-two-most-recent-completed-state-fiscal-years-and-documentation-of-the-capacity-to-provide-such-services-by-category;

3) Identification-of-the-types-and-severity-of-illness-of-patients-treated-by-the-hospital-and-complexity-of-care-provided-by-the-hospital-to-patients-during-the-two-most-recent-completed-state-fiscal-years;

4) Financial-data-which-identifies-the-sources-and-amounts-of-direct-teaching-costs-as-defined-under-Medicare-and-the-allocation-of-a-portion-of-those-direct-teaching-costs-to-the-Medical-Assistance-Program;

5) Terms-of-all-existing-labor-management-collective-bargaining-agreements-covering-hospital-employees.

e) After-the-first-meeting-and-receipt-from-each-hospital-of-its-decision-to-participate-in-the-ICARE-Program-as-either-a-member-of-a-group-of-hospitals-or-as-an-individual-hospital-under-Section-149.75(e),-the-Department-shall-notify-each-hospital-by-certified-or-registered-mail,-return-receipt-requested,-of-the-second-meeting-date.--The-purpose-of-the-second-meeting-is-to-allow-the-hospital-or-group-of-hospitals-to-present-and-interpret-terms-and-price-and-to-identify-the-representative-who-has-authority-to-bind-the-hospital-or-group-of-hospitals-in-the-event-of-subsequent-communications-and-negotiations.--The-representative-who-has-authority-to-bind-the-hospital-or-group-of-hospitals-shall-be-present-at-the-second-meeting-and-any-subsequent-meetings.

f) 1) Prior-to-conclusion-of-the-second-meeting,-the-hospital-or-group-of-hospitals-shall-have-the-opportunity-to-present-other-material-relevant-to-Section-149.105-that-it-would-like-to-have-considered-in-the-Department's-evaluation-of-its-firm-and-binding-offer,-and-shall-submit-for-negotiating-purposes-to-the-Department-a-firm-and-binding-offer-to-supply-inpatient-hospital-care-

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~~under the ICARE Program. Such firm and binding offer shall be complete in all respects including rates to be paid by the Department for care rendered under the ICARE Program.~~

~~2) Prior to the conclusion of the second meeting, the hospital or group of hospitals shall provide written procedures for the timely admission of recipients being transferred from either a contracting or non contracting hospital. Such procedures shall be reviewed and approved by the Department prior to the execution of an ICARE contract.~~

~~g) Written confirmation of the hospital's or group's firm and binding offer submitted at the second meeting and any relevant additional information which was requested by the Department during the first or second meeting must be received by the Department within ten (10) calendar days of the conclusion of the second meeting.~~

~~1) The content of the first and second meetings and any subsequent meetings is strictly privileged and confidential and any documents, minutes, data, communications or other similar material and information held by the Department is exempt from the inspection and copying requirements of The Freedom of Information Act (Ill. Rev. Stat. 1987, ch. 116, par. 201 et seq.). The conduct of the first and second meetings and any subsequent meetings and the contents thereof shall not be subject to the provisions of the Open Meetings Act (Ill. Rev. Stat. 1987, ch. 102, par. 41 et seq.).~~

~~2) Except as explicitly agreed to by the Department and a hospital or group of hospitals, the contents of all meetings, including the first, second and any subsequent meetings and communications in the course of negotiating and arriving at terms of a contract under the ICARE Program shall be strictly privileged and confidential. In the event that documents, minutes, data, communications or other similar material and information held by a party to negotiations or to a contract are sought by a third party through administrative process, court order or other similar administrative or judicial mechanisms, the party subject to such attempt shall immediately notify the other party and allow such other party to contest such attempt jointly or of its own accord.~~

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Section 149.100 EMERGENCY — ~~Negotiation Procedures~~ Basic Methodology for Determining DRG Prospective Payment Rates (Cont'd)

~~3) During the first meeting all hospitals shall individually execute for the Department a document in which the hospital shall:~~

~~A) pledge to maintain the confidentiality of the content of all meetings and all communications in the course of negotiating and arriving at contract terms except as thereafter explicitly agreed to by the Department and hospital; and~~

~~B) agree to enforcement of such a pledge through the issuance of a preliminary or permanent injunction or other order by a court of competent jurisdiction in any action brought by the Department for such purpose.~~

~~4) During the first meeting at which a group of hospitals meets with the Department for purposes of negotiating as a single contracting entity, the group's designated representative shall execute for the Department a document in which the hospital shall:~~

~~A) pledge to maintain the confidentiality of the content of all meetings and all communications in the course of negotiating and arriving at contract terms except as thereafter explicitly agreed to by the Department and hospital; and~~

~~B) agree to enforcement of such a pledge through the issuance of a preliminary or permanent injunction or other order by a court of competent jurisdiction in any~~

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~~action brought by the Department for such purpose.~~

~~5) During the course of the first and second meetings and any other subsequent meetings, both the representatives of the Department and the hospital or group of hospitals may take written notes, but no other record keeping by methods such as stenographic transcript or tape recording shall be permitted.~~

~~6) Any contract executed as a result of negotiations under the ICARE Program may be inspected or copied pursuant to the The Freedom of Information Act (Ill. Rev. Stat. 1987, ch. 116, par. 201 et seq.), upon the certification by the Department that all contracts to be negotiated under the ICARE Program in all ICARE areas designated by the Department for contract negotiations have been executed.~~

~~h) The Department, in considering determinations of the Board, shall specify in writing to the Board the points relied upon in any instance in which the Department's conclusion as to the advisability of entering into a contract is contrary to that of the Board. Such written recitation of points is part of the contract negotiating process and, as such, the Board may receive and deliberate upon such written recitation in closed session. Such written recitation is exempt from the inspection and copying requirements of the The Freedom of Information Act (Ill. Rev. Stat. 1987, ch. 116, par. 201 et seq.).~~

~~i) Written determinations both to grant contracts and to the specific provisions in such contracts shall be made by the Department to the Board for each hospital or group of hospitals within an ICARE area no less than 45 days prior to the effective date of the contracts.~~

a) DRG Classification and Weighting Factors

1) DRG Classification. The Department will utilize the classification of inpatient hospital

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discharges by diagnosis related groups (DRGs) as defined by federal regulation for the Medicare Program (42 CFR 412) in effect on September 1, 1991, with modifications deemed appropriate due to the differences in the Medicare and Medicaid patient populations and Illinois Medicaid policy.

2) DRG Weighting Factors

A) Except as provided in subsections (a)(2)(B) through (a)(2)(E) below, the Illinois Medicaid weighting factor for each DRG shall equal the Medicare weighting factor for that group, in effect on September 1, 1991, multiplied by a fraction, the numerator of which is the Medicaid geometric mean length of stay and the denominator of which is the Medicare geometric mean length of stay for that group. In making that calculation, the Department shall:

i) Use the Medicare geometric mean length of stay for each diagnostic-related group as determined by the Health Care Financing Administration of the United States Department of Health and Human Services.

ii) Calculate the Medicaid geometric mean length of stay for each diagnostic-related group using the same methodology employed to calculate the Medicare geometric mean length of stay and using data obtained from the Illinois Health Care Cost Containment Council or the Department's data bases.

B) The Illinois weighting factors for neonatal discharges (Medicare-defined DRGs 385-391 and Illinois-defined DRGs for Level III perinatal centers) shall be the product of the ratio of the mean cost per discharge (defined below) of the given DRG to the mean cost per discharge for DRG 391 (normal newborn) and the Medicare scaling factor

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(defined below), such that the Illinois and Medicare weighting factors for DRG 391 are the same.

i) Mean cost per discharge, for any DRG, is defined as the sum of the product of charges, as reported by a hospital to the Illinois Health Care Cost Containment Council for discharges made during Federal Fiscal Years 1989 and 1990, updated to the current rate year using the DRI factors (defined in 89 Illinois Administrative Code 148.270), and the hospital's cost to charge ratio, as derived from the hospital's base year cost report (e.g., Calendar Year 1989 for Fiscal Year 1992), divided by the number of discharges for that DRG.

ii) Medicare scaling factor is defined as the Medicare weighting factor for DRG 391 (normal newborns).

C) The Illinois weighting factors for psychiatric discharges (DRGs 424-432) shall be computed as specified in subsections (a)(1) and (a)(2) except, prior to computing the Medicaid geometric mean length of stay for those DRGs, all lengths of stay longer than three (3) days are to be set at three (3) days.

D) The Illinois weighting factors for DRGs that will not be paid through the DRG PPS are zero (0.0000). Those include DRG 103, heart transplant; DRG 462, rehabilitation; DRG 480, liver transplant; DRG 481, bone marrow transplant.

E) Except for DRGs otherwise specified in subsections (a)(2)(B) through (a)(2)(D), the Illinois weighting factors for DRGs for which available historic discharge data are

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sparse, fewer than 100 records, shall be computed using an alternate methodology.

i) For those DRGs with 32 or more records available, the Illinois weighting factor shall be set at the midpoint between the weight calculated using the methodology in subsection (a)(2)(A) and the Medicare weighting factor in effect on September 1, 1991.

ii) For those DRGs with fewer than 32 records available, the Illinois weighting factor shall be set equivalent to the Medicare weighting factor in effect on September 1, 1991.

3) Assignment of Discharges to DRGs. The Department will establish a methodology for classifying specific hospital discharges within DRGs which ensures that each hospital discharge is appropriately assigned to a single DRG, based on essential data abstracted from the inpatient bill for that discharge.

A) The classification of a particular discharge will, as appropriate, be based on the patient's age, sex, principal diagnosis (that is, the diagnosis established after study to be chiefly responsible for causing the patient's admission to the hospital), secondary diagnoses, procedures performed, and discharge status.

B) Each discharge will be assigned to only one DRG (related, except as provided in subsection (a)(3)(C), to the patient's principal diagnosis) regardless of the number of conditions treated or services furnished during the patient's stay.

C) When the discharge data submitted by a hospital show a surgical procedure unrelated to a patient's principal diagnosis, the bill will be subject to prepayment review for

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Section 149.100 EMERGENCY ~~Negotiation-Proceedures~~-Basic Methodology for Determining DRG Prospective Payment Rates (Cont'd)

validation and reverification. The Department's DRG classification system will provide a DRG, and an appropriate weighting factor, for cases for which the unrelated diagnosis and procedure are confirmed.

4) Review of DRG Assignment

A) A hospital has 60 days after the date of the remittance advice indicating initial assignment of a discharge to a DRG to request a review of the assignment. The hospital may submit additional information as a part of its request.

B) The Department shall review the hospital's request and any additional information and decide whether a change in the DRG assignment is appropriate. If the Department decides that a higher-weighted DRG should be assigned, it must request the Department's peer review organization to review the case to verify the change in DRG assignment.

C) Following the 60-day period described in subsection (a)(4)(A) above, the hospital may not submit additional information with respect to the DRG assignment or otherwise revise its claim.

b) Illinois Rates for Admissions on or after September 1, 1991

1) Interim Reimbursement System. The payments described in Sections 149.5 thru 149.325 and 89 Ill. Adm. Code 148.240 through 148.300 shall be effective for admissions on and after September 1, 1991. In the interim, hospitals shall be reimbursed on a per diem basis for admissions on and after September 1, 1991, as follows:

A) Hospitals that, on August 31, 1991, have a contract with the Department under Section 3-4 of the Illinois Health Finance Reform

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Act shall elect to receive interim reimbursement under one of the reimbursement methodologies listed below:

i) The hospital's weighted average contracting rate as stated in the most recently negotiated contract.

ii) The payment methodology in effect August 31, 1991 for non-contracting hospitals in accordance with 89 Ill. Adm. Code 148.220.

B) Hospitals that, on August 31, 1991, do not have a contract with the Department under Section 3-4 of the Illinois Health Finance Reform Act shall continue to be reimbursed based upon the payment methodology in effect August 31, 1991, as outlined in 89 Ill. Adm. Code 148.220.

2) The interim per diem reimbursement system will be replaced by the Medicaid Prospective Payment System no later than April 1, 1992 and appropriate adjustments will be made to adjust payments previously made under the interim per diem reimbursement system. The reimbursement methodologies described in 89 Ill. Adm. Code Part 149 and 148.240 through 148.300 shall be retroactive for admissions on or after September 1, 1991.

3) The payments described in Section 149.125(a) shall be effective on or after July 1, 1991. The payments described in Section 149.125(a)(3) shall be effective on or after August 1, 1991. In the interim, hospitals will continue to receive their disproportionate share reimbursement rate which was in effect on June 30, 1991. Once the Fiscal Year 1992 determination has been made and rates have been calculated for Fiscal Year 1992, appropriate adjustments will be made to the interim disproportionate share rates.

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4) The payments described in 89 Ill. Adm. Code 148.240 through 148.330 shall be effective for services provided on or after September 1, 191.

5) The payments described in 89 Ill. Adm. Code 148.80 shall be effective for services provided on or after September 1, 1991.

c) Determining Prospective Payment Rates.

1) The Department shall reimburse hospitals for inpatient services at the federal/regional blended rate per discharge for the Medicare Program, which includes the hospital-specific portion as described in subsection (c)(2) below, if applicable, in effect on September 1, 1991, and as computed by the PPS Pricer, Version 10.2, distributed to Medicare intermediaries on January 9, 1991.

2) The hospital-specific portion is defined as the specific status and any applicable add-ons under the Medicare Program in recognition of sole community hospitals, rural referral centers and Medicare dependent hospitals.

3) The DRG PPS base rate shall be defined as the sum of the amounts computed under subsections (c)(1) and (c)(2), multiplied by the Illinois weighting factor assigned to the DRG into which the case has been classified.

4) In addition to the DRG PPS base rate defined in subsection (c)(3), hospitals shall receive applicable outlier adjustments, in accordance with Section 149.105; per case add-ons for indirect medical education costs, capital costs, direct medical education costs, and CRNA costs in accordance with Section 149.150(c); any applicable add-on for blood clotting factor in accordance with Section 149.150(c)(6); applicable adjustments for disproportionate share and uncompensated care in accordance with 89 Ill. Adm. Code 89 Ill. Adm. Code 148.120, or if applicable, 148.150; and, on a retrospective

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basis, any applicable adjustment for kidney acquisition costs in accordance with Section 149.150(c)(5).

d) Application of Upper Payment Limits. The Department shall adjust each of the prospective payment rates determined under subsections (b)(1) and (b)(2) above (with the exception of disproportionate share payment adjustments made in accordance with 89 Ill. Adm. Code 148.120) to ensure that aggregate payments do not exceed the amount that can reasonably be estimated would have been paid under Medicare payment principles, in compliance with 42 CFR 447.272, Application of Upper Payment Limits.

(Source: Emergency amendment at 15 Ill. Reg. 16308, effective November 1, 191, for a maximum of 150 days)

Section 149.105 EMERGENCY — ~~Factors Considered In Awarding ICARE Contracts~~-Payment For Outlier Cases

~~a) The Department shall consider the following factors in negotiating and entering into contracts under the ICARE Program:~~

~~1) whether the price proposed by the prospective Contractor for all types of inpatient hospital care intended to be offered by the Contractor is satisfactory to the Department;~~

~~2) WHETHER THE PROSPECTIVE CONTRACTOR CAN ASSURE ACCESS TO GOOD QUALITY CARE;~~

~~3) WHETHER THERE IS ADEQUATE AVAILABILITY OF GOOD QUALITY SERVICES IN EACH GEOGRAPHIC REGION OF THE STATE TO ENSURE THAT THE NEEDS OF THE RECIPIENTS IN EACH SUCH REGION ARE MET;~~

~~4) WHETHER THE ADEQUATE AVAILABILITY OF GOOD QUALITY SPECIALIZED SERVICES TO MEET THE NEEDS OF RECIPIENTS IS ENSURED;~~

~~5) WHETHER DISRUPTIONS TO TRADITIONAL CARE PATTERNS~~

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Section 149.105 EMERGENCY ~~Factors-Considered-In-Awarding-ICARE-Contracts~~-Payment For Outlier Cases (Cont'd)

~~AND-TO-CONTINUITY-OF-CARE-OF-RECIPIENTS-WILL-BE-MINIMIZED;~~

~~6) WHETHER-RECOGNITION-OF-THE-VARIATIONS-IN-SEVERITY-OF-ILLNESS-AND-COMPLEXITY-OF-CARE-OF-RECIPIENTS-BY-EACH-PROSPECTIVE-CONTRACTOR-WILL-BE-MADE-AND-MONITORED-OVER-TIME;~~

~~7) WHETHER-PROTECTION-AGAINST-FRAUD-AND-ABUSE-IS-ADEQUATELY-ENSURED-BY-THE-PROSPECTIVE-CONTRACTOR;-AND~~

~~8) WHETHER-THE-PROSPECTIVE-CONTRACTOR-CAN-ENSURE-THE-PROVISION-OF-PROPOSED-CARE-TO-RECIPIENTS-IN-AN-ECONOMIC-AND-EFFICIENT-MANNER.~~

~~b) IN-NEGOTIATING-CONTRACTS,-THE-DEPARTMENT-SHALL-CONSIDER-EXISTING-LABOR-MANAGEMENT-COLLECTIVE-BARGAINING-AGREEMENTS-COVERING-HOSPITAL-EMPLOYEES.~~

~~c) IN-NEGOTIATING-AND-ENTERING-INTO-CONTRACTS-THE-DEPARTMENT-SHALL-ENSURE-THAT-THE-TOTAL-DOLLAR-AMOUNTS-OF-FUNDS-APPROPRIATED-FOR-MEDICAL-ASSISTANCE-HOSPITAL-INPATIENT-CARE-IS-NOT-EXCEEDED-BY-SUCH-CONTRACTS.~~

~~d) DIRECT-TEACHING-COSTS-SHALL-BE-CONSIDERED-A-PASS-THROUGH-FOR-CONSIDERING-PROPOSALS-RECEIVED-FROM-TEACHING-HOSPITALS-(all-statutory-language-quoted-or-paraphrased-from-Section-3-4-of-the-Illinois-Health-Finance-Reform-Act-(Ill.-Rev.-Stat.-1987,-ch.-111-1/2,-par.-6503-4)).~~

a) General Provisions.

1) Basic Rule

A) Except as provided in subsections (a)(1)(B) and (a)(1)(C), the Department provides for additional payment, approximating a hospital's marginal cost of care beyond thresholds specified by the Department, to a hospital for covered inpatient hospital services furnished to a Medicaid client, if either of the following conditions apply:

i) The client's length of stay (including

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Section 149.105 EMERGENCY ~~Factors-Considered-In-Awarding-ICARE-Contracts~~-Payment For Outlier Cases (Cont'd)

up to three administrative days) exceeds the day outlier threshold, determined by the Department, for the appropriate applicable DRG. The threshold is set at the lesser of the geometric mean length of stay plus 24 days, or the geometric mean length of stay plus three (3) standard deviations.

ii) The hospital's charges for covered services furnished to the client, adjusted to cost by applying a cost-to-charge ratio, as described in subsection (c)(3), exceed the greater of $29,584, or the hospital's DRG PPS base rate as described in Section 149.100(b)(2)(C) multiplied by two (2).

B) The Department will provide cost outlier payments to a transferring hospital reimbursed under the DRG PPS that does not receive payment under subsection (b) of this Section for discharges specified in Section 149.25(b)(4)(B), if the hospital's charges for covered services furnished to the client, adjusted to cost by applying a cost-to-charge ratio, as described in subsection (c)(3), exceed the greater of the criteria specified in subsection (a)(1)(A)(ii).

C) The Department will not provide outlier payments for:

i) Discharges classified as psychiatric care (DRGs 424-432). Such care provided by other than hospitals or distinct part units enrolled with the Department to provide psychiatric care (category of service 21) is limited to emergency treatment, to last no longer than three days.

ii) Discharges assigned to DRGs with an Illinois weighting factor of zero (0.0000).

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Section 149.105 ~~Factors Considered In Awarding ICARE~~ Contracts-Payment For Outlier Cases (Cont'd)
EMERGENCY

2) The Department or its designee may review outlier cases on a prepayment or postpayment review basis. The charges for any services identified as noncovered through this review will be denied and any outlier payment having been made for those services will be recovered, as appropriate, after a determination as to the provider's liability has been made. If the Department or its designee finds a pattern of inappropriate utilization by a hospital, all outlier cases from that hospital are subject to medical review, and this review may be conducted prior to payment until the Department or its designee determines that appropriate corrective actions have been taken. The Department, not its designee, must review and approve, to the extent required by the Department:

A) The admission was medically necessary and appropriate.

B) The medical necessity and appropriateness of the admission and outlier services in the context of the entire stay.

C) The services were ordered by the physician, actually furnished, and nonduplicatively billed.

D) The validity of the diagnostic and procedural coding.

E) The granting of up to three administrative (grace) days during which the hospital is seeking an appropriate setting into which to discharge a nonacute patient.

b) Payment for Extended Length-of-Stay Cases (Day Outliers)

1) If the hospital stay includes covered days of care beyond the applicable threshold criterion, the Department will made an additional payment, on a per diem basis, to the discharging hospital

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Section 149.105 ~~Factors Considered In Awarding ICARE~~ Contracts-Payment For Outlier Cases (Cont'd)
EMERGENCY

for those days. A special request or submission is not necessary to initiate this payment.

2) Except as provided in subsections (b)(3) or (d), the per diem payment made under subsection (b)(1) is derived by first taking 60 percent of the per diem payment for the applicable DRG, as calculated by dividing the DRG PPS rate, determined under 89 Ill. Adm. Code 149.100 by the mean length-of-stay for that DRG.

3) The per diem payment made under subsection (b)(1) for burn discharge (DRGs 456-460) is derived under the provisions of subsection (b)(3), except that the calculation is 90 percent of the per diem payment of the applicable DRG.

4) Any days in a covered stay identified as noncovered reduce the number of days reimbursed at the day outlier rate but not to exceed the number of days that occur after the day outlier threshold.

c) Payment for Extraordinarily High Cost Cases (Cost Outliers)

1) If the hospital charges, as adjusted by the method specified in subsection (c)(3) exceed the applicable threshold criterion, the Department will make an additional payment to the discharging hospital to cover those costs. A special request or submission is not necessary to initiate this payment.

2) The Department will reimburse the cost of the discharge on the billed charges for covered inpatient services, adjusted by a cost-to-charge ratio as described in subsection (c)(3).

3) The cost-to-charge ratio used to adjust covered charges is computed annually by the Department for each hospital based on the hospital's base fiscal year (i.e., Calendar Year 1989 for Fiscal Year 1992 payments) and charge data for UB-82 Uniform Billing Forms for all claims for inpatient services provided to Medicaid

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recipients in the previous state fiscal year which have been paid by the Department. Statewide cost-to-charge ratios are used in those instances in which a hospital's cost-to-charge ratio falls outside reasonable parameters or cannot be computed due to a lack of information (e.g., a new hospital for which the Department is not in possession of the required historical information).

4) If any of the services are determined to be noncovered, the charges for those services will be deducted from the requested amount of reimbursement but not to exceed the amount claimed above the cost outlier threshold.

5) Except as provided in subsection (c)(6), the additional amount is 75 percent of the difference between the hospital's adjusted cost for the discharge (as determined under subsection (c)(3)) and the threshold criteria established under subsection (a)(1)(A)(ii).

6) The additional payment amount for burn cases (DRGs 456-460) is computed under the provisions of subsection (c)(5), except that the payment is 90 percent of the difference between the hospital's adjusted cost for the discharge and the threshold criteria.

d) Payment for Extraordinarily High Cost Day Outliers. If a discharge qualifies for an additional payment under the provisions of both subsections (b) and (c), the additional payment is the greater of the following:

1) The payment computed under subsection (b) above.

2) The payment computed under subsection (c) above.

(Source: Emergency amendment at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

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NOTICE OF EMERGENCY AMENDMENTS

Section 149.125 ~~Closing an ICARE Area~~ Special Treatment of Certain Facilities
EMERGENCY

~~a) The Department shall designate an ICARE area "closed" to negotiations when the Department has negotiated contracts which have become effective with hospitals for the total aggregate number of inpatient days necessary to meet the needs of recipients who historically have received inpatient hospital care in that ICARE area, or who the Department expects will receive inpatient hospital care in that ICARE area. After an ICARE area is closed, the Department will further ensure the availability of care by invoking the travel standard exception delineated in Section 149.205(d) if the need for a particular type of care arises.~~

~~b) The Department shall notify all medical providers of the names and locations of hospitals providing services under contracts with the Department through the ICARE Program, including the types of specialized services available at hospitals. Notice will be provided at least 45 days prior to the closure of an ICARE area.~~

~~c) The Department shall notify all recipients of the names and location of hospitals providing services under contracts with the Department through the ICARE Program, including the types of specialized services available at hospitals. Notice will be provided prior to the closure of an ICARE area.~~

a) General Rules

1) Sole Community Hospitals. Hospitals defined as sole community hospitals shall, under subsection (b)(1), have the choice of being reimbursed under the DRG PPS methodology, as described in Sections 149.25 through 149.105 and 149.150, or the Department's Alternate Reimbursement methodology as described in Sections 148.240 through 148.300.

2) Hospitals that Serve a Disproportionate Share of Low Income Patients. The Department shall make additional payments to hospitals that serve a disproportionate share of low income patients. The criteria and methodologies for such additional payments are set forth in 89 Ill. Adm.

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Section 149.125 ~~Closing an ICARE Area~~ Special Treatment of Certain Facilities (Cont'd)
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Code 148.120 and include applicable additional payments for targeted access care, critical access care and uncompensated care.

3) Uncompensated Care Adjustments for Nondisproportionate Share Hospitals. the Deprtment shall make an additional payment to nondisproportionate share hospitals that provide equal access to low income persons. The criteria and methodology for this additional payment are set forth in 89 Ill. Adm. code 148.150.

b) Criteria for Classification as a Sole Community Hospital. "Medicaid Sole Community Provider" means a hospital that meets one of the following criteria:

1) Any hospital designated as a "sole community provider" by the U.S. Department of Health and Human Services for purposes of reimbursement under the federal Medicare Program; or

2) Any hospital located outside of a metropolitan statistical area that serves 55 percent or more of the Medicaid patients residing within the hospital's primary service area.

c) "Primary service area" means the geographic area defined by U.S. Postal Service Zip Codes in which 50 percent or more of a hospital's inpatients reside.

(Source: Emergency amendment at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

Section 149.150 ~~Administrative Review~~ Payments to Hospitals Under the DRG Prospective Payment System
EMERGENCY

~~a) If the Hospital Services Procurement Advisory Board recommends that a hospital or group of hospitals enter into a contract with the Department and the Department rejects the Board's recommendation, the affected hospital or group of hospitals shall have the right to seek review of the Department's decision in accordance with the Administrative Review Law (Ill. Rev. Stat. 1983, ch. 110, par. 3-101 et seq.).~~

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Section 149.150 ~~Administrative Review~~ Payments to Hospitals Under the DRG Prospective Payment System (Cont'd)
EMERGENCY

~~b) In all cases in which a party is aggrieved by the final action of the Department under the ICARE Program, the party shall have the right to seek review of the Department's action in accordance with the Administrative Review Law.~~

a) Total Medicaid Payment. Under the DRG PPS, the total payment for inpatient hospital services furnished to a Medicaid client by a hospital will equal the sum of the payments listed in subsections (b) through (c). In addition to the payments listed in subsections (b) through (d) of this Section, hospitals shall also receive applicable disproportionate share adjustments in accordance with 89 Ill. Adm. Code 148.120, if applicable, and uncompensated care adjustments in accordance with 89 Ill. Adm. Code 148.150, if applicable.

b) Payments Determined on a Per Case Basis. A hospital will be paid on a per case basis (with the exception of kidney acquisition costs and blood clotting factor costs) the following amounts:

1) the appropriate DRG PPS rate for each discharge as determined in accordance with Section 149.100(b)(2).

2) The appropriate outlier payment amounts determined under Section 149.105.

3) Capital related costs as determined under subsection (c)(1) below.

4) Direct medical education costs as determined under subsection (c)(2) below.

5) Indirect medical education costs as determined under subsection (c)(3) below.

6) Anesthesia services of hospital employed nonphysician anesthetists (Certified Registered Nurse Anesthetists or "CRNAs") as set forth in Section 6132(a) of the Omnibus Budget Reconciliation Act of 1989 and in accordance with subsection (c)(4).

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7) Kidney Acquisition Costs in accordance with subsection (c)(5).

8) Blood Clotting Factor Administered to Hemophilia Inpatients in accordance with subsection (c)(6).

c) Payments for Capital, Direct Medical Education, Indirect Medical Education, CRNA, Kidney Acquisition and Hemophilia Inpatient Blood Clotting Factor Costs. These costs shall be paid on a per case basis, with the exception of kidney acquisition costs and blood clotting factor costs, and shall be calculated as follows:

1) Capital Related Costs

A) The capital related cost per diem shall be calculated by taking the hospital's total capital related costs as reported on the hospital's latest audited Medicare cost report on file with the Department, i.e., two hospital report years, 1988 and 1989, are used for FY'92 rates, 1989 and 1990 for FY'93, etc.) divided by the hospital's total inpatient days, trended forward to the midpoint of the current rate year using the national total hospital market basket price proxies (DRI).

B) These two trended capital related cost per diems are then added together and divided by two to calculate the hospital's adjusted capital related cost per diem.

C) The adjusted capital related cost per diem amount, as calculated in subsection (c)(1)(B) above, shall be rank ordered for all hospitals and capped at the 80th percentile.

D) Each hospital shall receive a per diem add-on for capital related costs which shall be equal to the amount calculated in subsection (c)(1)(B) or subsection (c)(1)(C) above, whichever is less, multiplied by the

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EMERGENCY (Cont'd)

hospital's average length of stay for services reimbursed under the DRG PPS.

2) Direct Medical Education Costs

A) The direct medical education cost per case shall be calculated by taking the hospital's total direct medical education costs as reported on the hospital's latest audited Medicare cost report on file with the Department, (i.e., two hospital report years, 1988 and 1989, are used for FY'92 rates, 1989 and 1990 for FY'93, etc.) divided by the hospital's total inpatient days, trended forward to the midpoint of the current rate year using the national total hospital market backet price proxies (DRI).

B) These two trended direct medical education costs per diems are then added together and divided by two to calculate the hospital's adjusted direct medical education cost per diem.

C) The adjusted direct medical education cost per diem amount, as calculated in subsection (c)(2)(B) above, shall be rank ordered for all hospitals reporting such costs and capped at the 80th percentile.

D) Each hospital shall receive a per case add-on for direct medical education costs which shall be equal to the amount calculated in subsection (c)(2)(B) or subsection (c)(2)(C) above, whichever is less, multiplied by the hospital's average length of stay for services reimbursed under the DRG PPS.

3) Determination of Indirect Medical Education Adjustment Factor. To determine the indirect medical education costs, the Department shall use the indirect medical education factors as determined by HCFA and found in the DRG Pricer, Version 10.2. This factor shall be multiplied by

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(Cont'd)

the sum of the result of the calculation described in Section 149.100(b)(2)(C) plus any applicable outlier payments as described in Section 149.105.

4) CRNA Costs

A) Only hospitals that qualify for these payments under the Medicare Program (Section 5261 of HCFA 14-3 Update, 3-1-91) shall be eligible for these payments.

B) The CRNA cost per case amount shall be calculated by taking the hospital's total CRNA costs (as reported on the hospital's latest audited Medicare cost report on file with the Department, i.e., hospital report year 1989 is used for FY'92 rates, 1990 for FY'93, etc.) divided by the hospital's total inpatient days, trended forward to the midpoint of the current rate year using the national total hospital market backet price proxies (DRI).

C) Each qualifying hospital, as described in subsection (c)(4)(A) above, shall receive a per case add-on for CRNA costs which shall be equal to the amount calculated under subsection (c)(4)(B) above, multiplied by the hospital's average length of stay for services reimbursed under the DRG PPS.

5) Kidney Acquisition Costs. Kidney Acquisition Costs shall be reimbursed on a retrospective basis. The reimbursement shall be calculated by multiplying the hospital's total charges for the kidney acquisition by the hospital's cost-to-charge ratio as described in Section 149.105 (c)(3).

6) Payment for Blood Clotting Factor Administered to Hemophilia Inpatients.

A) The blood clotting factor adjustment shall be based upon a predetermined price per

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(Cont'd)

international unit (IU) of blood clotting factor (as determined under the Medicare Program effective September 1, 1991) multiplied by the number of units provided.

B) Three separate adjustment amounts shall be made, one for each of the three basic types of clotting factor (Factor VIII, Factor IX and other factors which are given to the patients with inhibitors to Factors VIII and IX). The adjustment amounts for the three types of blood clotting factor per unit are:

i) Factor VIII, viral inactivated, $ .64 per IU

ii) Factor IX, complex, heat-treated, $ .26 per IU

iii) Other hemophilia clotting factors (e.g., anti-clotting inhibitors), $1.00 per IU

d) Method of Payment

1) General Rule. Unless the provisions of subsection (d)(2) apply, hospitals are paid for each discharge based on the submission of a discharge bill. Payments for inpatient hospital services furnished by an excluded distinct part psychiatric or a rehabilitation unit of a hospital are made in accordance with 89 Ill. Adm. Code 148.270(b).

2) Special Interim Payment for Unusually Long Lengths of Stay

A) First Interim Payment. A hospital may request an interim payment after a Medicaid client has been in the hospital at least 60 days. Payment for the interim bill is determined as if the bill were a final discharge bill and includes any outlier

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Section 149.150 EMERGENCY — ~~Administrative Review~~ Payments to Hospitals Under the DRG Prospective Payment System (Cont'd)

payment determined as of the last day for which services have been billed.

B) Additional Interim Payments. A hospital may request additional interim payments at intervals of at least 60 days after the date of the first interim bill submitted under subsection (d)(2)(A). Payment for these additional interim bills, as well as the final bill, is determined as if the bill were the final bill with appropriate adjustments made to the payment amount to reflect any previous interim payment made under the provisions of subsection (d)(2).

3) Outlier Payments. Except as provided in subsection (d)(2), payment for outlier cases (described in Section 149.105) are not made on an interim basis. The outlier payments are made based on submitted bills and represent final payment.

e) Reductions to Total Payments

1) Copayments. Copayments are assessed under all medical programs administered by the Department and shall be assessed in accordance with 89 Ill. Adm. Code 148.190.

2) Third Party Payments. Hospitals shall determine that services rendered are not covered, in whole or in part, under any other state or federal medical care program or under any other private group indemnification or insurance program, health maintenance organization, preferred provider organization, workers compensation or the tort liability of any third party. To the extent that such coverage is available, the Department's payment obligation shall be reduced.

f) Effect of Change of Ownership on Payments Under the DRG Prospective Payment System. When a hospital's ownership changes, the following rule applies: Payment for the cost of inpatient hospital services for each patient, including outlier payments, as

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provided under subsection (b) above, will be made to the entity that is the legal owner on the date of discharge. Payments will not be prorated between the buyer and seller.

1) The owner on the date of discharge is entitled to submit a bill for all inpatient hospital services furnished to a Medicaid client regardless of when the client's coverage began or ended during a stay, or of how long the stay lasted.

2) Each bill submitted must include all information necessary for the Department to compute the payment amount, whether or not some of the information is attributable to a period during which a different party legally owned the hospital.

(Source: Emergency amendment at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days

Section 149.175 Payments to Contracting Hospitals (Repealed)
EMERGENCY

~~a) Payment rates will be specified within each hospital's or group of hospitals' contract. CONTRACTS UNDER THE ICARE PROGRAM MAY PROVIDE FOR DIFFERENT PAYMENTS TO HOSPITALS FOR THE SAME SERVICE OR CARE. THE DEPARTMENT MAY CONTRACT FOR A VARIABLE RATE RELATED TO DIFFERENT VOLUMES OF SERVICE OR CARE. THE DEPARTMENT CAN VARY RATES FOR EACH INCREMENTAL INCREASE IN SERVICE OR CARE LEVELS. (Ill. Rev. Stat. 1984 Supp., ch. 111 1/2, par. 6503-4). The Department may vary rates within an ICARE area or between ICARE areas.~~

~~b) Payment rates will be paid by the Department as specified in each hospital's or group of hospitals' contract for inpatient hospital care provided on or after the effective date of the contract.~~

~~c) Contracting hospitals or groups of hospitals will be paid by the Department in accordance with the payment methodology specified in 89 Ill. Adm. Code 140.361~~

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Section 149.175 Payments to Contracting Hospitals (Repealed)
EMERGENCY (Cont'd)

~~through 140.375 for inpatient hospital care rendered prior to the effective date of the contract.~~

(Source: Emergency repealer at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

Section 149.200 Admitting and Clinical Privileges (Repealed)
EMERGENCY

~~a) IN ORDER THAT RECIPIENT FREEDOM OF CHOICE AS TO A LICENSED PHYSICIAN MAY CONTINUE, TO THE EXTENT POSSIBLE, TO BE A VITAL ELEMENT OF THE PROVISION OF INPATIENT HOSPITAL CARE, EACH HOSPITAL ENTERING A CONTRACT UNDER THE ICARE PROGRAM AS A SINGLE HOSPITAL OR AS A MEMBER OF A GROUP OF HOSPITALS MUST COVENANT IN WRITING THAT IT SHALL GRANT ADMITTING AND CLINICAL PRIVILEGES TO ALL QUALIFIED PRACTITIONERS WHO SEEK SUCH PRIVILEGES FOR PURPOSES OF TREATING MEDICAL ASSISTANCE PATIENTS, AND WHO MEET THE REASONABLE STANDARDS AND CRITERIA ESTABLISHED BY THE HOSPITAL FOR THE GRANTING OF SUCH PRIVILEGES, AND THAT APPLICATIONS SHALL BE CONSIDERED AND PROCESSED WITHOUT PREJUDICE AND UNDER THE SAME PROCESS AND WITH AT LEAST THE SAME DEGREE OF TIMELINESS AS APPLICATIONS OF PRACTITIONERS TREATING PRIVATE PATIENTS AT THE HOSPITAL. THE DEPARTMENT SHALL MONITOR EACH CONTRACTING HOSPITAL TO ENSURE ITS COMPLIANCE WITH SUCH COVENANTS AND OBLIGATIONS. (Ill. Rev. Stat. 1984 Supp., ch. 111 1/2, par. 6503-4).~~

~~b) To assist the Department in monitoring compliance with such covenants and obligations, each hospital prior to entering into any contract under the ICARE Program as a single hospital or as a member of a contracting group of hospitals shall provide the Department:~~

~~1) these provisions of its policies and medical staff bylaws, rules and regulations governing the credentialing of its medical staff; and any additions, changes or amendments thereto adopted prior to the close of contract negotiations with the hospital or group of hospitals; and~~

~~2) a statement specifying the period of time typically used in reviewing an applicant for~~

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Section 149.200 Admitting and Clinical Privileges (Repealed)
EMERGENCY (Cont'd)

~~privileges and granting privileges once a finalized application and all supporting materials have been submitted by an applicant and verified by the hospital that they are accurate and complete, and references necessary to appraise the applicant have been received by the hospital; any delays currently encountered by the hospital in performing background and reference checks and medical staff review of completed applications due to backlogs caused by currently pending applications; any further delays in such steps anticipated by the hospital due to an increased volume of applications in the event the hospital becomes a contracting hospital or a member of a contracting group of hospitals, and the hospital's plans for relieving such delays and backlogs.~~

~~c) Each contracting hospital and each member of a contracting group of hospitals shall submit to the Department any additions, changes or amendments to the credentialing provisions of its policies and medical staff bylaws, rules and regulations adopted subsequent to the award of a contract by the Department.~~

(Source: Emergency repealer at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

Section 149.205 Inpatient Hospital Care or Services by Non-
EMERGENCY Contracting Hospitals Eligible for Payment (Repealed)

~~a) Payment will be made for the following inpatient hospital care or services provided to recipients by non contracting hospitals based upon review of necessity:~~

~~b) "True emergency services" which are inpatient hospital care or services provided for the alleviation of severe pain or for immediate diagnosis and/or treatment of conditions or injuries which might result in disability or death without immediate treatment documented by the recipient's admission sheet, discharge abstract or summary, and physician progress notes. Hospitals seeking payment for the provision of~~

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NOTICE OF EMERGENCY AMENDMENTS

Section 149.205 Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Repealed) (Cont'd)
EMERGENCY

~~true emergency services shall submit such documentation to the Department prior to the submission of the claim for payment.~~

~~e) "Medicare crossover services" which are inpatient hospital care or SERVICES PROVIDED TO RECIPIENTS WHEN A PORTION OF THE PAYMENT FOR SUCH SERVICES IS BEING MADE UNDER PART A OF THE MEDICARE PROGRAM (42 CFR 405, Subpart A (1984)) (statutory language from Ill. Rev. Stat. 1984 Supp., ch. 111 1/2, par. 6503-4).~~

~~d) "Services provided upon reasonable recipient travel" means inpatient hospital care or SERVICES PROVIDED TO RECIPIENTS WHO LIVE OR RESIDE FARTHER THAN THE REASONABLE TRAVEL STANDARD AS DEFINED BY THE DEPARTMENT (see Table G) (Ill. Rev. Stat. 1984 Supp., ch. 111 1/2, par. 6503-4) for the community in which they live or reside, from either:~~

~~1) a contracting hospital or a member of a contracting group of hospitals, or~~

~~2) any hospital participating in the Medical Assistance Program in an ICARE area which has not been closed, if the non-contracting hospital providing the care is closer to where they live or reside than either a contracting hospital or a hospital participating in the Medical Assistance Program located in an ICARE area not closed.~~

(Source: Emergency repealer at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

Section 149.225 Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Repealed)
EMERGENCY

~~Payment to non-contracting hospitals for eligible services, to hospitals not located in an ICARE area, and to hospitals which are in an ICARE area which is not closed will be based upon the~~

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Section 149.225 Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Repealed) (Cont'd)
EMERGENCY

~~payment methodology stated in 89 Ill. Adm. Code 140.361 through 140.375.~~

(Source: Emergency repealer at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

Section 149.250 Contract Monitoring (Repealed)
EMERGENCY

~~a) ALL UTILIZATION CONTROLS APPLIED TO INPATIENT HOSPITAL CARE BY THE DEPARTMENT IN ACCORDANCE WITH THE APPROVED PLAN FOR MEDICAL SERVICES UNDER SECTION 5-2 OF THE ILLINOIS PUBLIC AID CODE (Ill. Rev. Stat. 1983, ch. 23, par. 5-2), AND TITLE XIX OF THE FEDERAL SOCIAL SECURITY ACT (42 U.S.C. 1396a) SHALL CONTINUE TO APPLY TO INPATIENT HOSPITAL CARE PROVIDED UNDER THE ICARE PROGRAM. (Ill. Rev. Stat. 1984 Supp., ch. 111 1/2 par. 6503-5).~~

~~b) THE DEPARTMENT SHALL PROVIDE FOR A PROGRAM OF DELEGATED UTILIZATION REVIEW AND QUALITY ASSURANCE. HOSPITALS PROVIDING INPATIENT HOSPITAL CARE UNDER THE ICARE PROGRAM MAY ELECT TO VOLUNTARILY FOREGO THE DELEGATED STATUS. THE DEPARTMENT MAY CONTRACT WITH MEDICAL PEER REVIEW ORGANIZATIONS PROVIDED THAT AT LEAST TEN (10) PERCENT OF THE ORGANIZATION IS COMPOSED OF AREA PHYSICIANS to provide utilization review and quality assurance under any contract negotiated for inpatient hospital care provided under the ICARE Program. THE DEPARTMENT SHALL REQUIRE PRIOR APPROVAL FOR HOSPITAL PLACEMENTS WHERE THERE IS A LIKELIHOOD THAT THE PLACEMENT WILL RESULT IN UNNECESSARY UTILIZATION OF HIGH PRICED INPATIENT HOSPITAL CARE. (Ill. Rev. Stat. 1984 Supp., ch. 111 1/2, par. 6503-5). Such care will also be subject to post care review.~~

(Source: Emergency repealer at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

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NOTICE OF EMERGENCY AMENDMENTS

Section 149.275 Transfer of Recipients (Repealed)
EMERGENCY

a) ~~On or after the date of designation of closure of an ICARE area under Section 149.125, transfer of recipients from a non-contracting hospital to a contracting hospital or a member of a contracting group of hospitals must occur prior to admission unless the recipient's condition requires true emergency services, as defined by Section 149.205. For hospitals becoming non-contracting by virtue of exhausting the days allowed under an ICARE contract, payment for up to five days after a determination has been made that the recipient's condition no longer requires such true emergency services shall be at the ICARE rate, and all additional days of care at 80 percent of the ICARE rate. For hospitals becoming non-contracting by virtue not receiving an ICARE contract upon closure of an ICARE area, payment for up to five days after a determination has been made that the recipient's condition no longer requires such true emergency services shall be at the per diem rate, and all additional days of care at 80 percent of the per diem rate as defined by 89 Ill. Adm. Code 140.360. Payments in both such cases will only be made after the Department's designated peer review organization has reviewed claims submitted and certified that the admission resulted in the provision of true emergency services as defined by the Department. Payment will not be made for medically unnecessary days as determined by the Department or its designee.~~

b) ~~Transfer of recipients from one contracting hospital to another contracting hospital requires prior approval of the Department except when the recipient's level of care requires immediate attention which is not available at the first location or there is no bed capacity within the first hospital. The Department must be notified by the receiving hospital within two (2) business days that such a transfer has occured. Documentation of the necessity for such transfers must be available for review by the Department, or its designee.~~

(Source: Emergency repealer at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

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Section 149.300 Validity of Contracts (Repealed)
EMERGENCY

~~Any contract negotiated in substantial compliance with the terms of P.A. 83 1243 and rules and regulations promulgated thereunder is valid and of full force and effect and shall only be deemed void and of no effect upon a final judicial finding, of which appeals have been exhausted, that such contract was not negotiated in substantial compliance with P.A. 83 1243 and rules and regulations promulgated thereunder. Nothing herein excuses or allows waiver of the provisions contained in Section 140.946 relating to the time and manner in which hospitals or groups of hospitals must advise the Department of a decision to participate in the ICARE Program.~~

(Source: Emergency repealer at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

Section 149.305 Termination of ICARE Contracts (Repealed)
EMERGENCY

a) ~~All contracts entered into between the Department and a hospital participating in the ICARE Program will have a uniform termination date by contract area. The date of termination and the date on which new contracts will be negotiated and effective in each contract area for those hospitals that entered into a contract prior to July 1, 1986 will be no later than 27 months from the initial effective date of the contracts negotiated by the Department during the initial round of negotiations in each contract area. All contracts resulting from negotiations subsequent to July 1, 1986, will have a term of 24 months subject to the uniform termination date for all contracts in a contract area.~~

b) ~~Hospitals or groups of hospitals which have contracts with the Department for the provision of inpatient hospital care in the ICARE program with a uniform termination date pursuant to Section 147.305(a) on a date other than the last day of the State's fiscal year (i.e., June 30) such that the ICARE contract is in effect for part of a State fiscal year and which have been awarded general or specialized care days (as defined in each ICARE contract) on a State fiscal year basis shall be reimbursed as follows:~~

~~1) The maximum number of days of general or~~

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Section 149.305 Termination of ICARE Contracts (Repealed)
EMERGENCY (Cont'd)

~~specialized-care-awarded-for-a-State-fiscal-year-pursuant-to-an-ICARE-contract-shall-be-prorated-to-the-portion-of-the-State-fiscal-year-that-the-ICARE-contract-will-be-in-effect-based-on-the-number-of-calendar-days-that-will-elapse-from-July-1-to-the-termination-date-of-the-ICARE-contract-to-the-total-calendar-days-in-the-State-fiscal-year.~~

~~2) The-hospital-will-be-reimbursed-up-to-the-maximum-of-the-prorated-days-established-in-Section-147.305(b)(1)-multiplied-by-110%.--This-product-shall-be-the-hospital's-contract-maximum-for-the-partial-State-fiscal-year.~~

(Source: Emergency repealer at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

Section 149.325 Hospital Services Procurement Advisory Board
EMERGENCY (Repealed)

~~a) Pursuant-to-P.A.-83-1243,-there-is-created-a-Hospital-Services-Procurement-Advisory-Board-whose-responsibility-shall-be-to-advise-the-Department-of-the-reasonableness-of-contracts-into-which-the-Department-enters-with-appropriate-individual-hospitals-or-groups-of-hospitals-for-the-provision-of-inpatient-hospital-care-to-recipients-of-Medical-assistance-other-than-those-recipients-under-the-prepaid-capitated-full-service-program-of-the-Department-or-those-who-are-eligible-to-receive-Part-A-benefits-under-Medicare.~~

~~b) The-Board-may-hold-closed-sessions-for-the-purpose-of-reviewing-proposed-contracts-with-hospitals-for-the-provision-of-inpatient-hospital-care-to-recipients-and-receiving-and-deliberating-upon-written-specific-points-relied-upon-by-the-Department-in-situations-where-the-Department's-conclusion-as-to-the-advisability-of-entering-into-a-contract-is-contrary-to-that-of-the-Board.~~

(Source: Emergency repealer at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days)

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1) The Heading of the Part: MEDICAL PAYMENT

2) Code Citation: 89 Ill. Adm. Code 140

3) Section Numbers: Emergency Action:

140.94	New Section
140.95	New Section
140.530	Amendment
140.538	Amendment
140.552	Amendment
140.562	Amendment
140.569	Amendment
140.583	Amendment
140.835	Repealed

4) Statutory Authority:

89 Ill. Adm. Code 140.94 and 140.95

Sections 5-4.20 through 5-4.39 and Sections 14-1 through 14-10 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-4.20 through 5-4.39 and Sections 14-1 through 14-10, as added by Public Act 87-13)

89 Ill. Adm. Code 140.530 thru 140.835

Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) Effective Date of Emergency Amendments: October 22, 1991

6) If this Emergency Amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable

7) Date Filed in Agency's Principal Office: October 22, 1991

8) Reason for Emergency:

89 Ill. Adm. Code 140.94 and 140.95

Section 5 of Public Act 87-13 provides for implementing any portion of that Act through the use of emergency rulemaking. This rulemaking is filed as an emergency rule based upon that authority in Public Act 87-13.

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89 Ill. Adm. Code 140.530 thru 140.835

The Department has determined that the health and welfare of persons affected by this rulemaking would be adversely impacted absent its immediate implementation.

9) A Complete Description of the Subjects and Issues Involved:

89 Ill. Adm. Code 140.94 and 140.95

This rulemaking implements a system of Provider Participation Fees.

Section 140.94 "Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund": Under this rulemaking intermediate care facilities for the developmentally disabled and skilled and intermediate nursing facilities, including county nursing homes, are required to pay a provider participation fee to the Department of Public Aid equal to 15% of the provider's Medicaid payments. They are used, in conjunction with other State funds, as the State's match in order to receive Federal Financial Participation for medical services.

Section 140.95 "Hospital Services Trust Fund": Under this rulemaking, hospitals are required to pay certain provider participation fees to the Department. One fee equals 50% of the difference between the hospital's anticipated Medicaid payments for the current fiscal year and what the hospital's payments would have been in the current fiscal year, based on Fiscal Year 1991 payments less 5%. A second fee equals 5% of the hospitals payments from the Department last fiscal year. A third fee is imposed only on hospitals receiving critical care access payments and equals 50% of those payments. These fees are used, in conjunction with other State funds, as the State's match in order to receive Federal Financial Participation for medical services.

The rules set forth guidelines for the amount of the fees, the payment of the fees, delayed payment of fees, reconsideration and reconciliation on the amount of the fee, penalties for late payment of the fees, disbursement of the fees from the fund to the providers and annual audits. This structure of fees and disbursements is conditioned upon the availability of federal funds under Title XIX of the Social Security Act to match the fees collected and disbursed. If federal matching funds become unavailable, these rules shall no longer apply.

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89 Ill. Adm. Code 140.530 thru 140.835

Section 140.530 "Basis of Payment for Long Term Care Services": This rulemaking deletes the requirement that Department rates to nursing facilities may not exceed a facility's charges to private pay residents. This brings Department rules in this regard into accord with federal regulations. This change has no fiscal impact on the Department's expenditures.

Section 140.538 "Special Costs": This rulemaking provides that the assessment fee does not become an allowable cost for double reimbursement in future cost reports. This change has no fiscal impact on the Department's expenditures.

Section 140.552 "Nursing and Program Costs": This rulemaking removes the Illinois Experience factor. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $17.3 million in Fiscal Year 1992.

Section 140.562 "Nursing Costs": This rulemaking removes the 7.1% nursing wage adjustment factor. The costs associated with elimination of this 7.1% are being distributed to certain categories of the IOC survey. A proposed/emergency rulemaking addressing those distributions is being contemperaneously filed with this rulemaking. Accordingly, this change will have fiscal impact on the Department's annual aggregate expenditures for Fiscal Year 1991.

Section 140.569 "Clients With Exceptional Care Needs": This rulemaking will allow facilities with Medicaid eligible residents, that have been discharged from the hospital or are transitioning from Medicare to Medicaid while in the nursing facility, to be assessed for exceptional care reimbursement. The proposed rule is also lowering the cost requirement from 50% to 25% more than the proposed admitting facility's per diem rate. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $3 million in Fiscal Year 1992.

Section 140.583 "Campus Facilities": This rulemaking revises the methodology used to determine rates for Campus Facilities to encompass the assessment fee. This change is

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estimated to increase the Department's aggregate expenditures for nursing facilities by $100,000 in Fiscal Year 1992.

Section 140.835 "Determination of Cap on Payments for Long Term Care": This section is obsoleted and accordingly repealed because the Department is deleting the requirement that Department rates for nursing facilities may not exceed a facility's charges to private pay residents. This change has no fiscal impact on the Department's expenditures.

10) Are there any Proposed Amendments pending to this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
140.2	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.3	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.5	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.11	Amendment	May 10, 1991 (15 Ill. Reg. 6949)
140.71	Amendment	December 21, 1990 (14 Ill. Reg. 20170)
140.400	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.425	Repealed	August 19, 1991 (15 Ill. Reg. 12171)
140.426	Repealed	August 19, 1991 (15 Ill. Reg. 12171)
140.428	Repealed	August 19, 1991 (15 Ill. Reg. 12171)
140.440	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.441	Amendment	August 30, 1991 (15 Ill. Reg. 12171)

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Section Numbers	Proposed Action	Illinois Register Citation
140.442	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.449	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.460	Amendment	April 5, 1991 (15 Ill. Reg. 4903)
140.461	Amendment	April 5, 1991 (15 Ill. Reg. 4903)
140.462	Amendment	April 5, 1991 (15 Ill. Reg. 4903)
140.463	Amendment	April 5, 1991 (15 Ill. Reg. 4903)
140.465	Repealed	April 5, 1991 (15 Ill. Reg. 4903)
140.469	Amendment	September 20, 1991 (15 Ill. Reg. 13685)
140.512	Amendment	September 13, 1991 (15 Ill. Reg. 13274)
140.513	Amendment	September 13, 1991 (15 Ill. Reg. 13274)
140.514	Amendment	August 16, 1991 (15 Ill. Reg. 11555)
140.518	Amendment	July 5, 1991 (15 Ill. Reg. 9885)
140.560	Amendment	April 19, 1991 (15 Ill. Reg. 5585)
140.561	Amendment	May 17, 1991 (15 Ill. Reg. 7482)
140.569	Amendment	June 14, 1991 (15 Ill. Reg. 8656)
140.646	Amendment	May 10, 1991 (15 Ill. Reg. 6949)

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Section Numbers	Proposed Action	Illinois Register Citation
140.Table E	Amendment	August 19, 1991 (15 Ill. Reg. 12171)
140.Table F	Repealed	August 19, 1991 (15 Ill. Reg. 12171)

11) Statement of Statewide Policy Objectives:

89 Ill. Adm. Code 140.94 and 140.95

This rulemaking has no effect on local governmental units.

89 Ill. Adm. Code 140.530 thru 140.835

This rulemaking has no effect on local governmental units.

12) Information and questions regarding these Emergency Amendments shall be directed to:

89 Ill. Adm. Code 140.94 and 140.95

Name: David Peterson, Deputy General Counsel
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

89 Ill. Adm. Code 140.530 thru 140.835

Name: Daniel Leikvold, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
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Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

The full text of the Emergency Amendments begins on the next page:

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MEDICAL PAYMENT

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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg.

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8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg.10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684,

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effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg.15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.Table H and 140.Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.Table A and 147.Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective

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April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150

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days; amended at 14 Ill. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 16366 effective October 22, 1991, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART C: ~~HOSPITAL SERVICES~~ PROVIDER PARTICIPATION FEES

Section 140.94 EMERGENCY ~~Hospital Services (Reedified)~~ Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund

a) Purpose and Contents

1) The Funds were created in the State Treasury upon enactment of Public Act 87-13. Interest earned

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by the Funds shall be credited to the appropriate Fund. The Funds shall not be used to replace any funds appropriated to the Medicaid program by the General Assembly.

2) The Funds are created for the purpose of receiving and disbursing monies in accordance with this Section and Public Act 87-13.

3) The Funds shall consist of:

A) All monies collected or received by the Department under subsections (b) below;

B) All federal matching funds received by the Department as a result of expenditures made by the Department that are attributable to monies deposited in the Funds;

C) Any interest or penalty levied in conjunction with the administration of the Funds; and

D) All other monies received for the Funds from any other source, including interest earned thereon.

b) Provider Participation Fees

Beginning on July 1, 1991, a fee is imposed upon each facility in an amount equal to 15% of the facility's gross receipts for services provided for the previous State fiscal year as determined and reported by the Department.

c) Payment of Fees Due

1) The fees described in subsection (b) above shall be due and payable on a calendar quarterly basis.

2) The fees shall be payable to and collected by the Department in quarterly amounts due and received

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by the Department at the address specified on the Provider Participation Fee Notice described in subsection (d) on the first business day of the first calendar quarter following the quarter for which the fee is being paid, with the exception of the initial payment which shall be due within thirty (30) days of the date of the Department's notification of the fee due. The subsequent quarterly amounts shall be due on January 1, April 1, July 1 and October 1 of each year. All monies collected under subsections (b) and (c), shall be deposited into the appropriate Fund. For facilities which sign an amendment to their provider agreement stating they will be terminating operation at a specific point in time, the Department will make an adjustment in the fee based on a quarterly average public assistance occupancy level.

3) All payments received by the Department shall be credited first to any interest or penalty, and then to the fee due.

4) County nursing homes directed and maintained pursuant to Section 5-1005 of the Counties Code may meet their fee obligation by the county government certifying to the Department that county expenditures have been obligated for the operation of the county nursing home in an amount at least equal to the amount of the fee. County governments wishing to provide such certification must:

A) Sign a certification form certifying that the funds represent expenditures eligible for federal financial participation under Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), and that these funds are not federal funds, or are federal funds authorized by federal law to be used to match other federal funds;

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B) Submit the certification document to the Department once a year along with a copy of that portion of the county budget showing the funds appropriated for the operation of the county nursing home. These documents must be submitted within 30 days of the final approval of the county budget. However, for state fiscal year 1992, the county budgets covering the periods December 1, 1990 through November 30, 1991 and December 1, 1991 through November 30, 1992 must be submitted;

C) Submit the monthly claim form in the amount of the rate established by the Department minus any third party liability amount. This amount will be reduced by one twelfth of the annual assessment amount prior to payment as a certification statement was provided in lieu of an actual assessment payment; and

D) Make records available upon request to the Department and/or the United States Department of Health and Human Services pertaining to the certification of county funds.

d) Notification

The Department shall notify each facility of the results of its calculations under subsections (b) and (c) above. The notification shall be in writing and shall be submitted to the facility at least 30 days prior to the date on which the provider participation fee is due. Such calculations shall be subject to quarterly reconciliations as described in subsection (e) below and the annual audit/reconciliation described in subsection (l) below.

e) Procedure for Reconsideration and Quarterly Reconciliation

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1) Reconsiderations. Upon notification of the results of the Department's calculations under subsections (b) and (c) above, each facility shall have the right to reconsideration of the calculation of its provider participation fee for that quarter. Only requests for reconsideration of the assessment calculation shall be considered during the quarterly reconciliation period. All appeals based on utilization/spending estimates shall be addressed during the annual audit/reconciliation described in subsection (k) below.

A) Requests for reconsideration must be received in writing within 30 calendar days of the date of the Department's notification of the fee due. The request shall be accompanied by written materials setting forth the grounds for reconsideration.

B) A facility shall be required to pay its provider participation fee amount for the time period in question. In the event that a request for reconsideration results in the need for an adjustment to the fee due for the subject quarter, such adjustment shall be made during the quarterly reconciliation for the subject quarter.

2) Quarterly Reconciliation. A quarterly reconciliation shall be performed by the Department to make adjustments to the fees calculated by the Department under subsections (b) and (c) above. During the quarterly reconciliation, the Department shall consider all requests for reconsideration which are received in compliance with subsection (e)(1) above. The Department shall notify each facility of the results of the quarterly reconciliation. The notification shall be in writing and shall be submitted to the facility at least ten (10) working days prior to the date on which the subsequent provider participation fee is due.

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f) Penalties

1) Any facility that fails to pay the fee when due or pays less than the full amount due as described in subsections (b) and (c) above, shall be assessed a penalty of ten (10%) percent of the delinquency or deficiency for each month, or fraction thereof, computed on the full amount of the delinquency or deficiency, which includes any penalty accrued and not paid, from the time the fee was due.

2) Within five days from the due date, the Department will begin immediate recoupment actions against the delinquent facility by withholding the amount due from future payments. No payments will be made to the facility until the entire provider fee, including any penalties, is satisfied. Recoupment proceedings against the same facility two times in a fiscal year shall be cause for termination from the Program.

3) If the facility is no longer doing business with the Department or the Department cannot recover the full amount due, including penalties and interest, within three months of the fee due date, the Department may begin legal action to recover the monies owed plus court costs.

4) The Director of the Department of Public Aid is authorized to establish delayed payment schedules for individual facilities that are unable to make timely payments under this Section due to financial difficulties. The delayed payment provisions are described in subsections (g) and (h) below.

g) Delayed Payment - Groups of Facilities.

The Director may establish delayed payment of fees and/or waive the payment of interest and penalties for groups of facilities when:

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1) the State delays payments to facilities due to problems related to state cash flow, or

2) a cash flow bond pool's or any other group financing plans' requests from providers for loans are in excess of its scheduled proceeds such that a significant number of facilities will be unable to obtain a loan to pay the fee.

h) Delayed Payment - Individual Facilities

In addition to the provisions of subsection (g) above, the Director may waive or delay fees for individual facilities that are unable to make timely payments under this Section due to financial difficulties. No delayed payment arrangements shall extend beyond the last business day of the calendar quarter for which the provider participation fee was to have been received by the Department as described in subsection (c) above.

1) Criteria. Delayed payment provisions may be instituted only under extraordinary circumstances to qualified facilities of medical assistance services. Delayed payment provisions shall be made only to qualified facilities who meet all of the following requirements:

A) the facility has experienced an emergency which necessitates institution of delayed payment provisions. Emergency in this instance is defined as a circumstance under which institution of the payment and penalty provisions described in subsections (c)(1), (c)(2), (f)(1), (f)(2) and (f)(3) above would impose severe and irreparable harm to the clients served. Circumstances which may create such emergencies include, but are not limited to, the following:

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i) Department system errors (either automated system or clerical) which have precluded payments, or which have caused erroneous payments such that the facility's ability to provide further services to clients is severely impaired;

ii) cash flow problems encountered by a facility which are unrelated to Department technical system problems and which result in extensive financial problems to a facility adversely impacting on its ability to serve its clients.

B) the facility serves a significant number of clients under the Medical Assistance Program. Significant in this instance means:

i) 85 percent or more of their residents must be eligible for public assistance;

ii) for government-owned facilities, subsection (h)(1)(B)(i) may be waived if the cash flow criteria under subsection (h)(1)(A)(ii) is met; and

iii) for providers who have filed for Chapter 11 bankruptcy, subsection (h)(1)(B)(i) may be waived if the cash flow criteria under subsection (h)(1)(A)(ii) is met.

C) the facility must file a Cash Position Statement which is based upon current assets, current liabilities and other data for a date which is less than sixty (60) days prior to the date of filing. Any liabilities payable to owners or related parties must not be reported as current liabilities on the Cash Position Statement.

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A deferral of assessment payments will be denied if any of the following criteria are met:

i) the ratio of current assets divided by current liabilities is greater than 2.0;

ii) cash, short term investments and long term investments equal or exceed the total of accrued wages payable and the assessment payment. Long term investments which are unavailable for expenditure for current operations due to donor restrictions or contractual requirements will not be used in this calculation;

iii) cash or other assets has been distributed during the previous 90 days to owners or related parties in an amount equal to or exceeding the assessment payment for dividends, salaries in excess of those allowable under Section 140.541 or payments for purchase of goods or services in excess of cost as defined in Section 140.537.

D) the facility, with the exception of government owned facilities, must show evidence of denial of an application to borrow provider participation fee funds through a cash flow bond pool or financial institutions such as a commercial bank.

E) the facility must sign an agreement with the Department which specifies the terms and conditions of the delayed payment provisions. The agreement shall contain the following provisions:

i) specific reason(s) for institution of the delayed payment provisions;

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ii) specific dates on which payments must be received and the amount of payment which must be received on each specific date described;

iii) the interest that shall be due from the facility as a result of institution of the delayed payment provisions;

iv) a certification stating that, should the entity be sold, the new owners will be made aware of the liability and will assume responsibility for repaying the debt to the Department according to the original agreement;

v) a certification stating that all information submitted to the Department in support of the delayed payment request is true and accurate to the best of the signator's knowledge; and

vi) such other terms and conditions that may be required by the Department.

2) A facility which does not meet the above criteria may request a delayed payment schedule and/or the waiver of interest and penalties. The Director may approve the request, notwithstanding the facility not meeting the above criteria, upon a sufficient showing of financial difficulties and good cause by the facility. If the request for a delayed payment schedule and/or waiver of interest and penalties is approved, all other conditions of this subsection (h) shall apply.

3) Approval Process

A) In order to receive consideration for delayed payment provisions, facilities must submit their request in writing (telefax requests are acceptable) to the Bureau of Program and Reimbursement Analysis. The

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request must be received within seven (7) working days of the date of the Department's notification of the provider participation fee due for the subject quarter as described in subsection (c) above. All telefax requests must be followed up with original written requests by certified mail postmarked no later than the date of the telefax. The request must include:

i) an explanation of the circumstances creating the need for the delayed payment provisions;

ii) supportive documentation to substantiate the emergency nature of the request and risk of irreparable harm to the clients; and

iii) specification of the specific arrangements requested by the facility.

B) The facility shall be notified by the Department, in writing, of the Department's decision with regard to the request for institution of delayed payment provisions. An agreement shall be issued to the facility for all approved requests. The agreement must be signed by the administrator, owner or other authorized representative and be received by the Department prior to the first scheduled payment date listed in such agreement.

4) Waiver of Penalties. The penalties described in subsections (f)(1) and (f)(2) may be waived upon approval of the facility's request for institution of delayed payment provisions. In the event a facility's request for institution of delayed payment provisions is approved and the Department has received the signed agreement in accordance with subsection (h) above, such

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penalties shall be permanently waived for the subject quarter unless the facility fails to meet the terms and conditions of the agreement. In the event the facility fails to meet the terms and conditions of the agreement, the agreement shall be considered null and void and such penalities shall be fully reinstated.

5) Interest. The delayed payments shall include interest at a rate not to exceed the State of Illinois borrowing rate. The applicable interest rate shall be identified in the agreement described in subsection (h)(1)(E) above. The interest may be waived by the Director if the facility's current ratio, as described in subsection (h)(1)(C) above is 1.5 or less and the facility meets the criteria in (h)(1)(A) and (B). Any such waivers granted shall be expressly identified in the agreement described in subsection (h)(1)(E) above.

6) Subsequent Delayed Payment Arrangements. Once a facility has requested and received approval for delayed payment arrangements, the facility shall not receive approval for subsequent delayed payment arrangements until such time as the terms and conditions of any current delayed payment agreement have been satisfied. The waiver of penalties described in subsection (h)(3) shall not apply to a facility that has not satisfied the terms and conditions of any current delayed payment agreement.

i) Disbursements from the Fund

1) Disbursements from the Funds shall be made only:

A) for facility expenditures made under Title XIX of the Social Security Act;

B) for the reimbursement of monies collected by the Department from facilities through error or mistake;

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C) for payment of administrative expenses incurred by the Department or its agent in performing the activities authorized by subsections (b), (c), (d), (e) and (f) above; and

D) for payments of any amounts which are reimbursable to the federal government for payments from these Funds which are required to be paid by State warrant. Disbursements from these Funds shall be by warrants drawn by the State Comptroller upon receipt of vouchers duly executed and certified by the Department.

2) Disbursements from the Fund are conditional on:

A) expiration of the time limitations for reconsiderations requested by facilities under subsection (e)(1) above; and

B) the availability of sufficient monies in the Funds to make the payments required after the quarterly reconciliation determined under subsection (e)(2) above and the annual audit reconciliation determined under subsection (l) below.

j) Court Orders. If one or more facilities file suit in any court challenging any part of this Section, payments to facilities under this Section shall be made only to the extent that sufficient monies are available in the appropriate Fund and only to the extent that any monies in the Fund are not prohibited from disbursement under any order of the Court.

k) Federal Approval. Payments under the disbursement methodology described in this Section are subject to approval by the federal government in an appropriate State plan amendment. Fees under this Section are conditioned on the disbursement methodology being approved by the federal government in an appropriate State plan amendment.

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l) Annual Audit/Reconciliation

1) The Department shall conduct an annual review and reconciliation of the provider participation fees paid by facilities. The purpose of the reconciliation shall be to adjust the provider participation fees paid by a facility to reflect:

A) the actual services provided by the facility to clients of the Medical Assistance Program during the period to which the provider participation fee relates; and

B) the payments actually received by the facility related to those services during the period to which the provider participation fee relates.

2) Where the estimated utilization of services during the period does not reflect the facility's actual utilization for that period, the Department shall recalculate the facility's provider participation fee in accordance with subsection (b), using the facility's actual assessment year utilization base.

A) If the recalculation indicates that the facility should have been required to pay, but did not pay, a higher provider participation fee based upon actual utilization, the facility shall be required to pay to the Fund within 60 days the difference between the provider participation fee amount actually paid and the provider participation fee amount which should have been paid.

B) If the recalculation indicates that the facility paid a total provider participation fee during the twelve-month period which exceeded that which the facility should have been required to pay based upon actual

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utilization, the Department shall refund within 60 days to the facility the difference between the amount the facility actually paid and the amount of the provider participation fee the facility should have paid.

3) In no event shall the payments to a facility, less the fees paid by the facility under subsections (b) and (c) above, equal less than the payments from the facility's State fiscal year 1991 weighted average payment rates reduced by 5% unless current rates are lowered by the Inspection of Care survey or rates are reduced due to lowered costs as reported in the cost report used to calculate the current rate.

4) Amounts recovered from a facility shall be credited to the appropriate Fund. A facility is entitled to recover amounts paid to the Department and to receive refunds and payments from the Department under this Section only to the extent that monies are available in the appropriate Fund.

5) Upon notification of the results of the Department's annual audit/reconciliation, each facility shall have the right to reconsideration of the results of such annual audit/reconciliation. Such requests for reconsideration must be received in writing within thirty (30) calendar days of the date of the Department's notification of the fee due. Such request shall include a clear explanation of the error and documentation of the desired correction. The Department shall notify the facility of the results of the review within 30 days of the receipt of all required review material. If the facility fails to request a reconsideration pursuant to this subsection, the Department's determination shall be final.

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m) Applicability

The requirements of this Section shall apply only as long as federal funds under Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) are available to match the fees collected and disbursed under this Section and only as long as reimbursable expenditures are matched at the Federal Medicaid percentage of a least 50 percent. Whenever the Department is informed that federal funds are not available for these purposes, or shall be available at a lower percentage, this Section shall no longer apply and the Department shall promptly refund to each facility the amount of money currently in the Funds that has been paid by the facility, plus any investment earnings on that amount.

n) Definitions

1) "Facility" means a Medicaid certified intermediate care facility for the developmentally disabled or intermediate care facility for the developmentally disabled of 16 beds or less, skilled or intermediate nursing facility, including county nursing homes directed and maintained pursuant to Section 5-1005 of the Counties Code, but shall not include state-operated facilities or campus facilities as defined in Section 140.583.

2) "Fee" means a provider participation fee paid by facilities under this Section.

3) "Fund" means the Medicaid Developmentally Disabled Provider Participation Fee Trust Fund and/or Medicaid Long Term Care Provider Participation Fee Trust Fund.

4) "Gross Receipts" means all annualized payments for medical services delivered under Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and Article V of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 5-1 et seq.) and shall mean any and all payments made by the Department.

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or a Division thereof, to a facility certified to participate in the Medical Assistance Program, for services rendered eligible for Medical Assistance under Article V of the Public Aid Code, State regulations and the federal Medicaid Program as defined in Title XIX of the Social Security Act and federal regulations.

(Source: Emergency rule added at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days)

Section 140.95 EMERGENCY ~~Participation (Reedified)~~ Hospital Services Trust Fund

a) Purpose and Contents.

1) The Hospital Services Trust Fund ("Fund") was created in the State Treasury upon enactment of Public Act 87-13. Interest earned by the Fund shall be credited to the Fund. The Fund shall not be used to replace any funds appropriated to the Medicaid program by the General Assembly.

2) The Fund is created for the purpose of receiving and disbursing monies in accordance with this Section.

3) The Fund shall consist of:

A) All monies collected or received by the Department under subsections (b)(1), (b)(2) and (b)(3) below;

B) All federal matching funds received by the Illinois Department as a result of expenditures made by the Department that are attributable to monies deposited in the Fund;

C) Any interest or penalty levied in conjunction with the administration of the Fund; and

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D) All other monies received for the Fund from any other source, including interest earned thereon.

b) Provider Participation Fees.

1) Beginning on July 1, 1991, and ending on June 30, 1995, a fee is imposed upon each hospital in an amount equal to 50 percent of the positive difference between the hospital's anticipated annualized Medicaid spending, which shall be calculated using the estimated rate year utilization, for State fiscal year 1992 and each State fiscal year thereafter through State fiscal year 1995 excluding payments under 89 Ill. Adm. Code 148.120 and Section 5-5.02 of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 5-5.02), and the hospital's total Medicaid base year spending. This fee shall be adjusted pursuant to the annual audit described in subsection (1) below to reflect actual annualized Medicaid spending and actual rate year utilization.

2) Beginning on July 1, 1991, and ending on June 30, 1995, a fee is imposed upon each hospital in an amount equal to 5 percent of the hospital's gross receipts for services provided during the previous State fiscal year as determined and reported by the Department. This fee shall be adjusted pursuant to the annual audit described in subsection (1) below to reflect actual Medicaid gross receipts for services provided during the previous State fiscal year.

3) Beginning on July 1, 1991, and ending on June 30, 1995, a fee is imposed upon each hospital which receives critical care access payments under subsection (d) of Section 14-8 of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 14-8). This fee is equal to fifty (50) percent of the critical care payments.

c) Payment of Fees Due.

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1) The fees described in subsection (b) above and shall be due and payable on a calendar quarterly basis.

2) The fees shall be payable to and collected by the Illinois Department in quarterly amounts due and received by the Department at the address specified on the Provider Participation Fee Notice described in subsection (d) on the first business day of the first calendar quarter following the quarter for which the fee is being paid, with the exception of the initial payment which shall be due on November 1, 1991. The subsequent quarterly amounts shall be due on January 1, April 1, July 1, and October 1 of each year with the final payment due on July 1, 1995. All monies collected under subsections (b) and (c) shall be deposited into the Fund.

3) All payments received by the Department shall be credited first to any interest second to any penalty, and then to the fee due.

d) Notification.

The Department shall notify each hospital of the results of its calculations under subsections (b) and (c) above. The notification shall be in writing and shall be submitted to the hospital at least thirty (30) days prior to the date on which the provider participation fee is due. Such calculations shall be subject to quarterly reconciliations as described in subsection (e) below and the annual audit/ reconciliation described in subsection (1) below.

e) Procedure for Reconsideration and Quarterly Reconciliation.

1) Reconsiderations. Upon notification of the results of the Department's calculations under subsections (b) and (c) above, each hospital shall have the right to reconsideration of the calculation of its provider participation fee for that quarter. Only requests for reconsideration of the assessment calculation shall be considered

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during the quarterly reconciliation period. All appeals based on utilization/spending estimates shall be addressed during the annual audit/ reconciliation described in subsection (1) below.

A) Requests for reconsideration must be received in writing within 30 calendar days of the date of the Department's notification of the fee due. The request shall be accompanied by written materials setting forth the grounds for reconsideration.

B) A hospital shall be required to pay its provider participation fee amount for the time period in question. In the event that a request for reconsideration results in the need for an adjustment to the fee due for the subject quarter, such adjustment shall be made during the quarterly reconciliation for the subject quarter.

2) Quarterly Reconciliation. A quarterly reconciliation shall be performed by the Department to make adjustments to the fees calculated by the Department under subsections (b) and (c) above. During the quarterly reconciliation, the Department shall consider all requests for reconsideration which are received in compliance with subsection (e)(1) above. The Department shall notify each hospital of the results of the quarterly reconciliation. The notification shall be in writing and shall be submitted to the hospital at least ten (10) working days prior to the date on which the subsequent provider participation fee is due.

f) Penalties.

1) Any hospital that fails to pay the fee when due or pays less than the full amount due as described in subsections (b) and (c) above, shall be assessed a penalty of ten (10) percent of the delinquency or deficiency for each month, or fraction thereof, computed on the full amount of

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the delinquency or deficiency, which includes any penalty accrued and not paid, from the time the fee was due.

2) Within five days from the due date, the Department will begin immediate recoupment actions against the delinquent provider by witholding the amount due from future payments. No payments will be made to the provider until the entire provider fee including any penalties is satisfied. Recoupment proceedings against the same provider two times in a fiscal year shall be cause for termination from the program.

3) If the provider is no longer doing business with the Department or the Department can not recover the full amount due including penalties and interest within three months of the fee due date, the Department may begin legal action to recover monies owed plus court costs.

4) The Director of the Department of Public Aid may establish delayed payment schedules for individual facilities that are unable to make timely payments under this Section due to financial difficulties. The delayed payment provisions are described in subsections (g) and (h) below.

g) Delayed Payment - Groups of Facilities

The Director may establish delayed payment of fees and/or waive the payment of interest and penalties for groups of hospitals such as disproportionate share hospitals or all other hospitals when:

1) the State delays payments to hospitals due to problems related to state cash flow, or

2) a cash flow bond pool's, or any other group financing plans', requests from providers for loans are in excess of its scheduled proceeds such that a significant number of hospitals will be unable to obtain a loan to pay the fee.

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h) Delayed Payment - Individual Facilities

In addition to the provisions of subsection (g) above, the Director may waive or delay fees for individual facilities that are unable to make timely payments under this Section due to financial difficulties. No delayed payment arrangements shall extend beyond the last business day of the calendar quarter for which the provider participation fee was to have been received by the Department as described in subsection (c) above.

1) Criteria. Delayed payment provisions may be instituted only under extraordinary circumstances to qualified providers of medical assistance services. Delayed payment provisions may be made only to qualified hospitals who meet all of the following requirements:

A) the provider has experienced an emergency which necessitates institution of delayed payment provisions. Emergency in this instance is defined as a circumstance under which institution of the payment and penalty provisions described in subsections (c)(1), (c)(2), (f)(1) and (f)(2) above would impose severe and irreparable harm to the clients served. Circumstances which may create such emergencies include, but are not limited to, the following:

i) Department system errors (either automated system or clerical) which have precluded payments, or which have caused erroneous payments such that the provider's ability to provide further services to clients is severely impaired;

ii) cash flow problems encountered by a provider which are unrelated to Department technical system problems. These situations include cash flow problems which are unrelated to Department technical system problems and which result in extensive financial

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problems to a facility, adversely impacting on its ability to serve its clients.

B) the provider serves a significant number of clients under the medical assistance program. Significant in this instance means:

i) that the hospital must qualify as a disproportionate share hospital under 89 Ill. Adm. Code 148.120 (a)(1) through 148.120 (a)(4).

ii) for government-owned facilities, subsection (h)(1)(B)(i) may be waived if the cash flow criteria under subsection (h)(1)(A)(ii) is met; and

iii) for providers who have filed for Chapter 11 bankruptcy, subsection (h)(1)(B)(i) may be waived if the cash flow criteria under subsection (h)(1)(A)(ii) is met.

C) the provider must file a Cash Position Statement which is based upon current assets, current liabilities and other data for a date which is less than sixty (60) days prior to the date of filing. Any liabilities payable to owners or related parties must not be reported as current liabilities on the Cash Position Statement. A deferral of assessment payments will be denied if any of the following criteria are met:

i) the ratio of current assets divided by current liabilities is greater than 2.0.

ii) cash, short term investments and long term investments equal or exceed the total of accrued wages payable and the assessment payment. Long term investments which are unavailable for expenditure for current operations due

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to donor restrictions or contractual requirements will not be used in this calculation.

D) the provider must show evidence of denial of an application to borrow provider participation fee funds through a cash flow bond pool or financial institutions such as a commercial bank.

E) the provider must sign an agreement with the Department which specifies the terms and conditions of the delayed payment provisions. The agreement shall contain the following provisions:

i) specific reason(s) for institution of the delayed payment provisions;

ii) specific dates on which payments must be received and the amount of payment which must be received on each specific date described;

iii) the interest that shall be due from the provider as a result of institution of the delayed payment provisions;

iv) a certification stating that, should the entity be sold, the new owners will be made aware of the liability and will assume responsibility for repaying the debt to the Department according to the original agreement; and

v) a certification stating that all information submitted to the Department in support of the delayed payment request is true and accurate to the best of the signator's knowledge.

2) A hospital which does not meet the above criteria may request a delayed payment schedule and/or the waiver of interest and penalties. The Director may approve the request, notwithstanding the hospital not meeting the above criteria, upon a

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sufficient showing of financial difficulties and good cause by the hospital. If the request for a delayed payment schedule and/or waiver of interest and penalties is approved, all other conditions of this subsection (h) shall apply.

3) Approval Process.

A) In order to receive consideration for delayed payment provisions, providers must submit their request in writing (telefax requests are acceptable) to the Bureau of Program and Reimbursement Analysis. The request must be received within seven (7) working days of the date of the Department's notification of the provider participation fee due for the subject quarter as described in subsection (c) above. All telefax requests must be followed up with original written requests by certified mail, postmarked no later than the date of the telefax. The request must include:

i) an explanation of the circumstances creating the need for the delayed payment provisions;

ii) supportive documentation to substantiate the emergency nature of the request and risk of irreparable harm to the clients; and

iii) specification of the specific arrangements requested by the provider.

B) The hospital shall be notified by the Department, in writing, of the Department's decision with regard to the request for institution of delayed payment provisions. An agreement shall be issued to the provider for all approved requests. The agreement must be signed by the administrator, owner, chief executive officer or other authorized representative and be received by the Department prior to the first scheduled payment date listed in such agreement.

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4) Waiver of Penalties. The penalties described in subsections (f)(1) and (f)(2) may be waived upon approval of the provider's request for institution of delayed payment provisions. In the event a provider's request for institution of delayed payment provisions is approved and the Department has received the signed agreement in accordance with subsection (h)(3)(B) above, such penalties shall be permanently waived for the subject quarter unless the provider fails to meet on the terms and conditions of the agreement. In the event the provider fails to meet on the terms and conditions of the agreement, the agreement shall be considered null and void and such penalties shall be fully reinstated.

5) Interest. The delayed payments shall include interest at a rate not to exceed the State of Illinois borrowing rate. The applicable interest rate shall be identified in the agreement described in subsection (h)(1)(E) above. The interest may be waived by the Director if the facility's current ratio, as described in subsection (h)(1)(C) above is 1.5 or less and the hospital meets the criteria in (h)(1)(A) and (B). Any such waivers granted shall be expressly identified in the agreement described in subsection (h)(1)(D) above.

6) Subsequent Delayed Payment Arrangements. Once a provider has requested and received approval for delayed payment arrangements, the provider shall not receive approval for subsequent delayed payment arrangements until such time as the terms and conditions of any current delayed payment agreement have been satisfied. The waiver of penalties described in subsection (h)(3) shall not apply to a provider that has not satisfied the terms and conditions of any current delayed payment agreement.

i) Disbursements from the Fund.

1) Disbursements from the Fund shall be made only:

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A) for hospital inpatient, hospital ambulatory care, and disproportionate share distributive expenditures made under Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

B) for the reimbursement of monies collected by the Department from hospitals through error or mistake;

C) for payment of administrative expenses incurred by the Department or its agent in performing the activities authorized by subsections (b), (c), (d), (e) and (f) above; and

D) for payments of any amounts which are reimbursable to the federal government for payments from this Fund which are required to be paid by State warrant. Disbursements from this Fund shall be by warrants drawn by the State Comptroller upon receipt of vouchers duly executed and certified by the Department.

2) Disbursements from the Fund are conditional on:

A) expiration of the time limitations for reconsiderations requested by hospitals under subsection (e)(1) above.

B) the availability of sufficient monies in the Fund to make the payments required by Section 14-8 of the Public Aid Code after the quarterly reconciliation determined under subsection (e)(2) above, and the annual audit reconciliation determined under subsection (l) below.

j) Court Orders.

If one or more hospitals file suit in any court challenging any part of this Section, payments to hospitals under this Section shall be made only to the extent that sufficient monies are available in the

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Fund and only to the extent that any monies in the Fund are not prohibited from disbursement under any order of the court.

k) Federal Approval.

Payments under the disbursement methodology described in Section 14-8 of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 14-8) are subject to approval by the federal government in an appropriate State plan amendment. Fees under this Section are conditioned on the disbursement methodology described in Section 14-8 of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 14-8) being approved by the federal government in an appropriate State plan amendment.

l) Annual Audit/Reconciliation.

1) The Department shall conduct an annual review and reconciliation of the provider participation fees paid by hospitals. The purpose of the reconciliation shall be to adjust the provider participation fees paid by a hospital to reflect:

A) the actual services provided by the hospital to recipients of the Medical Assistance Program, and

B) the payments actually received by the hospital related to those services during the period to which the provider participation fee relates.

2) Where the estimated rate year utilization, anticipated annualized Medicaid spending or gross receipts as determined and utilized by the Department in the calculation of fees due under subsections (b)(1) and (b)(2) do not reflect the hospital's actual rate year utilization, actual annualized Medicaid spending or actual gross receipts during the period to which the provider participation fee relates, the Department shall recalculate the hospital's provider participation fee in accordance with subsection (b), utilizing the hospital's actual rate year utilization.

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actual annualized Medicaid spending and actual gross receipts for the period to which the provider participation fee relates.

A) If the recalculation indicates that the hospital should have been required to pay, but did not pay, a higher provider participation fee based upon actual rate year utilization, actual annualized Medicaid spending or actual gross receipts during the period to which the provider participation fee relates, the hospital shall be required to pay to the Fund within 60 days the difference between the provider participation fee amount actually paid and the provider participation fee amount which should have been paid.

B) If the recalculation indicates that the hospital paid a total provider participation fee during the twelve-month period which exceeded that which the hospital should have been required to pay based upon actual rate year utilization, actual annualized spending or actual gross receipts during the period to which the provider participation fee relates, the Department shall refund within 60 days to the hospital the difference between the amount the hospital actually paid and the amount of the provider participation fee the hospital should have paid.

3) In no event shall the payments to a hospital, less the fees paid by the hospital under subsections (b) and (c) above, equal less than the payments from the hospital's State fiscal year 1991 weighted average payment rates reduced by 5 percent.

4) Amounts recovered from a hospital shall be credited to the Fund. A hospital is entitled to recover amounts paid to the Department and to receive refunds and payments from the Department under this Section only to the extent that monies are available in the Fund.

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5) Upon notification of the results of the Department's annual audit/reconciliation, each hospital shall have the right to reconsideration of the results of such annual audit/reconciliation. Such requests for reconsideration must be received in writing within thirty (30) calendar days of the date of the Department's notification of the fee due. Such request shall include a clear explanation of the error and documentation of the desired correction. The Department shall notify the hospital of the results of the review within 30 days of the receipt of all required review material. If the hospital fails to request a reconsideration pursuant to this subsection, the Department's determination shall be final.

m) Applicability.

The requirements of this Section shall apply only as long as federal funds under Title XIX of the Social Security Act are available to match the fees collected and disbursed under this Section and only as long as reimbursable expenditures are matched at the Federal Medicaid percentage of at least 50 percent. Whenever the Department is informed that federal funds are not available for these purposes, or shall be available at a lower percentage, this Section shall no longer apply, and the Department shall promptly refund to each hospital the amount of money currently in the Fund that has been paid by the hospital, plus any investment earnings on that amount.

n) Definitions.

As used in this section, unless the context requires otherwise:

1) "Actual annualized Medicaid spending" means the actual expenditures made by the Department for services provided during the State fiscal year in which the fee described in subsection (b)(1) is due and which have been paid within nine (9) months from the end of such State fiscal year (for example, services provided in fiscal year

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1992 and paid no later than March 31, 1993 for fees imposed in State fiscal year 1992; services provided in fiscal year 1993 and paid no later than March 31, 1994 for fees imposed in State fiscal year 1994; etc.). Such expenditures shall not include disproportionate share payments, targeted access payments, critical care access payments or uncompensated care payments.

2) "Actual gross receipts" means the gross receipts, as determined and reported by the Department, for services provided during the previous fiscal year which have been paid within nine (9) months from the end of such previous State fiscal year (for example, services provided in fiscal year 1991 and paid no later than March 31, 1992, for fees described in subsection (b)(2) which are imposed in State fiscal year 1992; services provided in fiscal year 1992 and paid no later than March 31, 1993, for fees described in subsection (b)(2) which are imposed in State fiscal 1993; etc.).

3) "Actual rate year utilization" means the actual utilization of services provided during the State fiscal year in which the fee described in subsection (b)(1) is due and which have been paid within nine (9) months from the end of such State fiscal year (for example, services provided in fiscal year 1992 and paid no later than March 31, 1993 for fees imposed in State fiscal year 1992; services provided in fiscal year 1993 and paid no later than March 31, 1994 for fees imposed in State fiscal year 1994; etc.).

4) "Anticipated annualized Medicaid spending" means the Department's estimate of expenditures which will be made to the hospital for services provided in the State fiscal year in which the fee described in subsection (b)(1) is due (for example, fiscal year 1992 for fees imposed in State fiscal year 1992, fiscal year 1993 for fees imposed in State fiscal year 1993, etc.). Such expenditures shall not include disproportionate share payments, targeted access payments, critical care access payments or uncompensated care payments.

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5) "Estimated rate year utilization" means the hospital's projected utilization for the State fiscal year in which the fee described in subsection (b)(1) is due (for example, fiscal year 1992 for fees imposed in State fiscal year 1992, fiscal year 1993 for fees imposed in State fiscal year 1993, etc.).

6) "Fund" means the Hospital Services Trust Fund.

7) "Gross Receipts" means all payments for medical services delivered under Title XIX of the Social Security Act and Articles V, VI and VII of the Public Aid Code and shall mean any and all payments made by the Department, or a Division thereof, to a Medical Assistance Program provider certified to participate in the Illinois Medical Assistance Program, for services rendered eligible for Medical Assistance under Articles V, VI and VII of the Public Aid Code, State regulations and the federal Medicaid Program as defined in Title XIX of the Social Security Act and federal regulations.

8) "Hospital" means any institution, place, building, or agency, public or private, whether organized for profit or not-for-profit, which is located in the State and is subject to licensure by the Illinois Department of Public Health under the Hospital Licensing Act or any institution, place, building, or agency, public or private, whether organized for profit or not-for-profit, which meets all comparable conditions and requirements of the Hospital Licensing Act in effect for the state in which it is located, and is required to submit cost reports to the Department under 89 Ill. Adm. Code 148, but shall not include the University of Illinois Hospital Act or a county hospital in a county of over 3 million population.

9) "Total Medicaid Base Year Spending" means the hospital's State fiscal year 1991 weighted average payment rates, excluding payments made under 89 Ill. Adm. Code 148.120 and Section

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5-5.02 of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 5-5.02), reduced by 5 percent and multiplied by the hospital's estimated rate year utilization.

10) "Weighted Average Payment Rate" means the hospital's payment rates for specific services, divided by the hospital's utilization for those specific services, plus any disproportionate share and outlier adjustments and less any third party liability payments.

o) Fee Assurances

1) Notwithstanding any provision of any rule of the Illinois Department of Public Aid, if either of the following events occurs:

A) Federal funds under Title XIX of the Social Security Act are no longer available to match the fees collected and disbursed under Section 14-3 of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 14-3) or the State's expenditures are matched at a Federal Medicaid percentage of less than 50%; or

B) The State Plan amendment, in substantially the form submitted to the Health Care Financing Administration ("HCFA") prior to October 1, 1991, implementing the disbursement methodology set forth in Section 14-8 of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 14-8) is disapproved by HCFA.

2) Then the Department shall:

A) Make payments to hospitals in an amount commensurate with the payment rates that would have been paid pursuant to Section 14-8 of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 14-8), the proposed State Plan amendment, and rules implementing such Section for services provided to Medicaid

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recipients during the period for which fees have been collected under Section 14-3 of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 14-3) (fees due on the first business day of one quarter are considered collected for the previous quarter pursuant to subsection (c)(2) above); or

B) If the Department cannot make payments at the level described in subsection (2)(A) above, refund to the hospital the hospital's fee, or portion thereof, which has not been recouped by the hospital through the payment rates as described in subsection (2)(A) above. The difference between the actual payments made to the hospital and the payments that would have been made to the hospital based on the hospital's total Medicaid base year spending shall be considered the amount of the fee recouped by the hospital.

(Source: Emergency rule added at 15 Ill. Reg. 16366, effective October 22, for a maximum of 150 days)

SUBPART E: GROUP CARE

Section 140.530 EMERGENCY Basis of Payment for ~~Group~~ Long Term Care Services

a) The amount approved for payment for ~~group care long~~ term care services is based on the type and amount of services required by and actually being furnished to a ~~recipient~~ resident and is determined in accordance with the Department's rate schedule.--~~The approved Department rate shall not exceed the charges to nonrecipients.~~

~~b) However, the Department may approve a rate exceeding the rate schedule for a period not to exceed 60 days, if necessary to effect hospital discharge.~~

~~c)~~b) Costs not related to patient care, as well as costs in excess of those required for the efficient and economical delivery of care, will not be reimbursed.

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Section 140.530 Basis of Payment for ~~Group~~Long Term Care Services (Cont'd)
EMERGENCY

~~d)~~c) Payment for long term care services is on a per diem basis. In determining the number of days for which payment can be made, the day of admission to the facility is counted. The day of discharge from the facility is not counted unless it is the day of death, and death occurs in the facility, or a reserved bed has been authorized for that day.

~~e)~~d) Definitions

1) "Allowable costs" are those which are appropriate patient care expenditures as defined in the Department's Rules.

2) "Reasonable costs" for specific types of expenditures are costs which conform to the Department's Rules and do not exceed guidelines established by the Office of Health Finance~~ of the Department of Public Health~~.

3) "Reimbursable costs" are determined by application of statistical standardizations of allowable costs for all provider within various defined groups to the costs of individual providers within such groups.

(Source: Emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days)

Section 140.538 Special Costs
EMERGENCY

a) Transportation -- The costs of transportation that is medically necessary and is of the type reimbursed by Public Aid in addition to the routine rate is not allowable. Other types of patient related transportation costs should be classified as either administrative costs or activity costs and are allowable.

b) Ancillary Services -- are not an allowable expenditure. Ancillary services are those services which are not explicitly required by licensing requirements. Accordingly, the definition of ancillary service differs by licensure type,

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Section 140.538 Special Costs (Cont'd)
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particularly between SNF and ICF, as compared to ICF/MR facilities.

c) For SNF or ICF, the following are ancillary services: occupational therapy by a licensed therapist, recreational therapy by a licensed therapist, dental care, work-related programs, rehabilitation by licensed personnel, pharmacy (other than "group care restricted"), psychological services (evaluation and diagnosis/behavior modification), and academic education by licensed personnel.

d) These services, when offered by the above practitioners are ancillary services whether they are offered in the facility or outside the facility. Note, this does not include consultants or services offered by unlicensed personnel within the facility even if they relate to the above program areas.

e) In an ICF/MR or SNF Pediatric facility the following services are ancillary: physician care, dental care -- except for dental screening, work-related programs (other than Level I Developmental Training and Level II Developmental Training as defined in Section 140.647, Description of Day Programming Service Levels), pharmacy (other than "group care restricted"), academic education, and any service for which the individual practitioner bills the Department directly or any service for which the Provider directly bills another Department or another governmental unit, including local school districts.

f) It is the responsibility of the individual provider to obtain prior approval before rendering ancillary services. Ancillary providers must be enrolled with the Department.

g) Oxygen in excess of one tank per patient per month is reimbursed directly rather than as part of the per diem. In order to submit claims the facility must be enrolled as a provider of oxygen.

h) Barber and Beauty Shops -- Costs associated with barber and beauty shops are not allowable.

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Section 140.538 Special Costs (Cont'd)
EMERGENCY

i) Coffee and Gift Shops -- Costs associated with coffee and gift shops are not allowable.

j) Assessment fees required by Public Act 87-13 to be paid to the Department of Public Aid are not an allowable cost for reimbursement purposes. This fee must be reported on the cost report Schedule V, Section E, Special Cost Centers, Line 42, Other Cost.

(Source: Emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days)

Section 140.552 Nursing and Program Costs
EMERGENCY

Beginning July 1, 1991, ~~Nursing~~ nursing and program costs (mostly salary costs for direct care staff, but also including some supplies and other related expenses, see Section 140.532) will be updated by DRI average hourly earnings production workers for nursing and personal care facilities. ~~North Central Region experienced and projected, adjusted to Illinois experience as follows:~~

~~a) The rate of wage inflation for Illinois nursing homes from calendar year ending 1976 through the most current reporting period will be determined for registered nurses, licensed practical nurses and nurse's aides. This rate of inflation, however, will be adjusted to exclude any changes caused by minimum wage over and above the underlying rate of inflation. The impact of minimum wage will continue to be calculated separately as specified in Section 140.555.~~

~~b) The rate of wage inflation as calculated in subsection (a) above will be compared to the experienced DRI average hourly earnings production workers for nursing and personal care facilities North Central Region increase for the same period.~~

~~c) The resultant factor will become an adjuster which is applied to DRI average hourly earnings production workers for nursing and personal care facilities North Central Region projections from the year of the cost reports to the rate year.~~

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Section 140.552 Nursing and Program Costs (Cont'd)
EMERGENCY

(Source: Emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days)

Section 140.562 Nursing Costs
EMERGENCY

a) The Department reimburses for nursing costs based on geographic area in which the facility is based, and the level of care the facility (or distinct part thereof) is licensed to provide. Nursing costs also include an increment to reimburse for patients requiring skilled care for differences in support cost areas statistically related to variable patient conditions. For residents in Skilled Nursing Facilities (SNF) and Intermediate Care Facilities (ICF), the Department reimburses for nursing costs according to Sections 140.900 through 140,907; for residents in Skilled Nursing Facilities for Pediatrics (SNF/PED) or Intermediate Care Facilities for the Medically Retarded (ICF/MR), the Department reimburses for nursing costs according to Sections 140.850 through 140.885.

b) For the period July 1, 1986, through December 31, 1986, no facility's rate of reimbursement for Nursing Services shall be less than 90% of the rate of reimbursement for Nursing Services that facility received for the period January 1, 1986, through June 30, 1986.

c) For the period July 1, 1986 through December 31, 1986, the Department shall perform an additional computation for the rate of reimbursement for Nursing Services.

1) For intermediate and skilled care facilities, the additional computation is as follows:

A) Unadjusted nursing rates will be computed according to Section 140.905.

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Section 140.562 Nursing Costs (Cont'd)
EMERGENCY

B) The unadjusted nursing rate will be compared to 90 percent of the previous effective rate for Nursing Services for each facility. The greater of the two rates will be the "hold harmless" nursing rate.

C) The mean difference between the "hold harmless" nursing rates and the previous effective nursing rates will be computed for each HSA area. This difference will be an interim base for the HSA area.

D) The adjusted nursing rate will be the sum of the "hold harmless" nursing rate and the interim base rate.

2) For intermediate and skilled care facilities for the developmentally disabled, the additional computation is as follows:

A) Unadjusted nursing rates will be computed according to Section 140.885.

B) The mean difference between the unadjusted nursing rates and the previous effective nursing rates will be computed for each licensure group. This difference will be an interim base rate for the licensure group.

C) The adjusted nursing rate will be the sum of the unadjusted nursing rate and the interim base rate.

d) For the period January 1, 1987 through June 30, 1987, the nursing rate component for any skilled and intermediate care facility (not including facilities for the developmentally disabled) will be the higher of either the rate for the prior rate period (July 1, 1986 through December 31, 1986) or the rate as calculated according to Subpart G.

e) For the period January 1, 1987 through June 30, 1987, the nursing rate component for facilities for the developmentally disabled will be the same as for the prior rate period (July 1, 1986 through December 31, 1986).

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Section 140.562 Nursing Costs (Cont'd)
EMERGENCY

f) For the period July 1, 1987, through December 31, 1987, the nursing rate component (updated for wage inflation from January 1, 1987, through January 1, 1988, as computed in Sections 140.909(b)(1)(A)(iv) and (v)) for long term care facilities for the developmentally disabled will be the same as for the prior rate period (January 1, 1987, through June 30, 1987).

g) For the period January 1, 1988 through June 30, 1988, the nursing rate component for facilities for the developmentally disabled will be the same as for the prior rate period (July 1, 1987 through December 31, 1987).

~~h) For the period July 1, 1990, through June 30, 1992, nursing rates established for all long term care facilities with a SNF, ICF, or ICF-MI license shall be increased by a 7.1% nursing wage adjustment factor.~~

(Source: Emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days)

Section 140.569 Clients With Exceptional Care Needs
EMERGENCY

a) Exceptional Care Program

1) Pursuant to Section 5-5A of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 5-5A), the Department may make payments to nursing facilities which substantially meet licensure and certification requirements as may be prescribed by the Department of Public Health. For purposes of this Section, substantial compliance shall mean compliance with eligibility standards required of providers under the Department's QUIP program, Section 140.525(b).

2) The Department may, but is not required to, enter into contracts with facilities offering exceptional medical services, referred to herein as Providers.

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Section 140.569 Clients With Exceptional Care Needs (Cont'd)
EMERGENCY

3) Exceptional medical care is defined as the level of medical care required by persons ~~who are medically stable and ready for discharge from a hospital but~~ who require a multi-disciplinary level of care for physician, nurse and ancillary specialist services with exceptional costs related to extraordinary equipment and/or supplies that have been determined to be a medical necessity. Beginning July 1, 1991, this may apply to Medicaid patients who are being discharged from the hospital or Medicaid eligible residents transitioning from Medicare to Medicaid while in the nursing facility. This includes but is not limited to persons with acquired immune deficiency syndrome (AIDS) or related condition, head-injured persons, and ventilator dependent persons. In order for a person to be assessed for exceptional care placement the hospital must be receiving Medicaid reimbursement for that person. ~~--Consideration may be given to those residents currently residing in a facility who require a multi-disciplinary level of care and meet criteria as stated in subsection (j)(2).~~

4) The Department shall negotiate with nursing home providers and enter into a contract with Providers. The rate of payment will be reasonable and adequate to meet the costs incurred by the facilities providing exceptional care. Providers may negotiate separate facility wide rates for separate types of care. In determining the rate of payment to a facility, the Department shall take into account cost information submitted by the facility.

b) Exceptional Care Contract Requirements

The Department may enter into a contract for exceptional care services only if the Provider agrees to the following conditions:

1) The Provider will maintain separate records regarding costs related to the care of the exceptional care residents, reporting them in the ancillary section of the Department Long Term Care Facility Cost Reports.

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Section 140.569 Clients With Exceptional Care Needs (Cont'd)
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2) The facility must demonstrate the capacity and capability to provide exceptional care as documented by Department of Public Health and Department of Public Aid records.

3) The Provider must maintain and provide documentation demonstrating:

A) Adherence to staffing requirements as set out in subsection (c);

B) Adherence to staff training requirements as set out in subsection (d);

C) Validity of written agreements as required in subsection (e);

D) Presence of emergency policy and procedures as set out in subsection (f);

E) Medical condition of the resident; and

F) Care, treatments and services provided to the resident.

4) The Provider must have and maintain physical plant adaptations to accommodate the necessary equipment.

5) The Provider must have and maintain an emergency electrical backup system.

c) Exceptional Care Staffing Requirements

Staffing requirements for facilities providing exceptional care include:

1) A minimum of one RN on duty on the day shift, seven days per week (as required by the Department of Public Health and set out in 77 Ill. Adm. Code 300.1240). Additional RN staff may be determined necessary by the Department of Public Aid, based on the Department's review of the individual exceptional care clients' needs and/or the exceptional care needs relative to the category of services being contracted for.

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2) A minimum of the required number of LPN staff (as required by the Department of Public Health and set out in 77 Ill.Adm.Code 300.1230 and 300.1240), on duty, with an RN on call, if not on duty on the evening and night shifts, seven days per week; and

3) A certified respiratory therapy technician or registered respiratory therapist, on staff or on contract with the facility, for those facilities serving ventilator dependent residents or residents requiring respiratory therapy services.

d) ~~Exceptional Care Staff Training Requirements for Facilities Providing Ventilator Dependent Care~~

Training requirements for facilities providing exceptional care for ventilator dependent residents include:

1) At least one of the full-time professional nursing staff members has successfully completed a course in the care of ventilator dependent individuals and the use of ventilators, conducted and documented by a certified respiratory therapy technician or registered respiratory therapist (as certified/registered by the Department of Professional Regulation) or a qualified registered nurse who has at least one year experience in the care of ventilator dependent persons, and

2) All staff caring for ventilator dependent residents must have documented inservice training in ventilator care prior to providing such care. Inservice training must be conducted at least annually by a certified respiratory therapy technician or registered respiratory therapist (as certified/registered by the Department of Professional Regulation) or a qualified registered nurse who has at least one year experience in the care of venilator dependent persons. Inservice training documentation shall include name and qualification of the inservice director, duration of presentation, content of

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presentation and signature and position description of all participants.

e) Exceptional Care Agreement Requirements

The Provider must have a valid written agreement with:

1) A medical equipment and supply provider which must include a service contract for ventilator equipment when accepting ventilator dependent residents;

2) A local emergency transportation provider;

3) A local hospital capable of providing the necessary care for equipment dependent residents, when appropriate; and

4) A certified respiratory therapy technician or registered respiratory therapist, (unless a respiratory therapist is on staff within the facility) when accepting ventilator dependent residents or residents requiring respiratory therapy services.

f) Exceptional Care Emergency Policy and Procedures Requirements

The Provider must have specific written policies and procedures addressing emergency needs for residents requiring exceptional care.

g) Accessibility to Records

The Provider must make accessible to IDPA and/or IDPH all facility, resident and other records necessary to determine that the needs of the resident are being met and to determine the appropriateness of exceptional care services.

h) Contract Negotiations

1) A Provider shall notify the Department of its interest in participating in the Exceptional Care Program in writing by certified or registered mail, return receipt requested.

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2) Negotiations between the Provider and the Department shall be conducted solely on an individual facility basis. Multiple facility negotiations shall not be permitted.

3) Prior to the beginning of negotiations, the Provider shall submit to the Department a completed Exceptional Care Data Sheet. The Department shall furnish such Data Sheet. The Exceptional Care Data Sheet shall require:

A) Identification of the types, quantities and costs of services which the Provider intends to offer;

B) A staffing plan for the area of the facility serving exceptional care residents; and

C) Documentation of the qualifications of staff serving exceptional care residents.

4) The Department shall provide each Provider which has notified the Department of its interest in participation in the Exceptional Care Program with a copy of the proposed contract provisions by mailing such proposed contract provisions to the provider. Each contract shall be for a period of one year.

i) Renewal/Nonrenewal of Exceptional Care Contracts

1) Providers desirous of renewing exceptional care contracts must contact the Department in writing sixty (60) days prior to the expiration date of the contract to express their intent to renew the contract.

2) Upon receipt of the Providers' intent to renew their contract, the Department shall open negotiations as set forth in subsection (h).

3) Providers desiring to terminate or not renew their contract shall notify the Department sixty (60) days prior to the date of termination or contract expiration. Payment for new admissions at an exceptional care rate will not be made to

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those Providers who do not have a valid exceptional care contract. Payment for exceptional care residents in facilities which terminate or do not renew their contracts will remain at the previous exceptional care rate until such time as the resident no longer requires exceptional care as determined by the Department's utilization review (see Contract Monitoring 2 and 3) or the resident is discharged.

4) It is the responsibility of a nursing home Provider to effect appropriate discharge planning for exceptional care residents when terminating or not renewing its contract. The Department agrees to assist Providers with any information available regarding appropriate placement settings.

j) Determining eligibility for exceptional care payment.

1) ~~All persons~~A person being discharged from a hospital must be approved by an authorized Department representative prior to placement in a facility to be eligible for exceptional care payment. Medicaid eligible residents transitioning from Medicare to Medicaid while in the nursing facility must be approved by an authorized Department representative approximately 30 days prior to the date Medicaid payment will begin.~~--Excluding those residents currently enrolled in the negotiated rate program.~~

2) Beginning July 1, 1991, ~~In~~ in order for a person to be approved for exceptional care placement the cost of the person's care must be at least ~~50%~~ 25% more than the proposed admitting facility's per diem rate (capital, support and nursing components). Eligible items which may be used in computing the cost of the person's care include nursing services costs, therapy services costs, and medical equipment and supply costs. Computations for determining cost of care shall be based upon maximum allowable costs for service equipment and supplies and HSA wage rates for the proposed admitting facility as determined by the Department.

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k) Provision for Patients for which a Long Term Care Placement is Unavailable

In the event placement for a patient in need of exceptional care services or skilled nursing services cannot be located, the Department shall approve payment to the hospital in which the patient is receiving services. The rate of payment to the hospital shall not exceed the average statewide long term care facility per diem rate for the level of services provided.

l) Contract Monitoring

1) All utilization controls applied to exceptional care by the Department in accordance with the approved plan for medical services under Section 5-2 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 5-2), and Title XIX of the Federal Social Security Act (42 U.S.C. 1396a) shall continue to apply to exceptional care provided under the Exceptional Care Program (Ill. Rev. Stat. 1989, ch. 111 1/2 par. 6503-5; Section 3-5 of the The Health Finance Reform Act).

2) The Department shall provide for a program of delegated utilization review and quality assurance. The Department may contract with Medical Peer Review organizations to provide utilization review and quality assurance under any contract negotiated for exceptional care.

3) The Department shall review exceptional care residents' utilization of services every ninety (90) days.

4) In the event that it is determined that the resident is no longer in need of exceptional care services, the Department shall reduce the rate of payment to the Provider to the facility's standard Medicaid per diem rate.

(Source: Emergency amendment at 15 Ill. Reg.16366, effective October 22, 1991, for a maximum of 150 days)

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Section 140.583 Campus Facilities
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a) A "campus facility" is defined as an entity which consists of a long term care facility (or group of facilities if the facilities are on the same continguous parcel of real estate) which meets all of the following criteria as of May 1, 1987:

1) The entity provides care for both children and adults.

2) Residents of the entity reside in three or more separate buildings with congregate and small group living arrangements on a single campus.

3) The entity provides three or more separate licensed levels of care on the same campus. One of these licensed levels of care must be ICF/MR and the entity must receive funding from the Department of Mental Health and Developmental Disabilities. The facility must also be licensed as a child care institution by the Department of Children and Family Services (see 89 Ill. Adm. Code 404).

b) Allowable costs will be determined under the same guidelines as used for other types of facilities providing services for ICF/MR residents (see Sections 140.530 through 140.541).

c) The campus facility reimbursement rate will be determined using the following steps:

1) Determine the total allowable cost for all residential campus services. Costs for day training, education, and day care services shall not be included in the calculation of the campus facility rate.

2) Obtain the per diem cost by dividing the total allowable cost by the adjusted patient days. The adjusted patient days will be determined in accordance with Section 140.582.

3) The operating costs are adjusted for inflation. The inflation factors will be determined in accordance with the provisions of Section 140.550. The inflated per diem operating costs

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Section 140.583 Campus Facilities (Cont'd)
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are added to the per diem capital costs to obtain the updated total per diem cost.

4) The updated total per diem cost is compared to the ceiling. Beginning July 1, 1991, ~~The~~ the ~~lower of the two amounts~~ prior year rate will be multiplied by .15 and added to the lower of the above two amounts to result in the prospective payment rate.

5) The ceiling will be determined at 115% of the average rate being paid to the Specialized Living Centers for ICF/MR residents.

(Source: Emergency amendment at 15 Ill. Reg. ~~16366~~, effective October 22, 1991, for a maximum of 150 days)

Section 140.835 Determination of Cap on Payments for Long
EMERGENCY Term Care (Repealed)

~~a) Semiannually each facility must determine its private rate and report it to the Department in accordance with the following procedures if the private rate is determined to be in excess of the per diem established by the Department.~~

~~1) Private rates for the period January 1 through June 30 are to be reported by October 1 of each year. Private rates for the period July 1 through December 31 are to be reported by April 1 of each year.~~

~~2) In order to determine the private pay rate the facility will use the average of charges exclusive of DD day programming charges that were actually levied against private pay residents for the applicable six month period less discounts. Do not include charges for items or services that would not be included in the per diem set by the Department.~~

~~b) Upon receipt of the semiannual report, the Department will, where applicable, take necessary steps to retroactively adjust the Departmental rate (per diem), exclusive of the DD day programming charges, so that~~

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Section 140.835 Determination of Cap on Payments for Long
EMERGENCY Term Care (Repealed) (Cont'd)

~~the per diem is no greater than the private rate reported by the facility. The per diem includes the Quality Incentive Payment component of the total daily rate. The Department will then reconcile payments as necessary.~~

~~c) Any facility that fails to comply with reporting requirements as specified above shall have payments withheld until such time as it has complied.~~

(Source: Emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days)

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1) The Heading of the Part: REIMBURSEMENT FOR NURSING COSTS FOR GERIATRIC FACILITIES

2) Code Citation: 89 Ill. Adm. Code 147

3) Section Numbers: Emergency Action:

147.150	Amendment
147.TABLE A	Amendment
147.TABLE B	Amendment

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) Effective Date of Emergency Amendments: October 22, 1991

6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which they are to expire: Not applicable

7) Date Filed in Agency's Principal Office: October 22, 1991

8) Reason for Emergency: The Department has determined that the health and welfare of persons affected by this rulemaking would be adversely impacted absent its immediate implementation.

9) A Complete Description of the Subjects and Issues Involved:

Section 147.150 "Statewide Rates" - This rulemaking revises the determination of wages to allow fringe benefits to be equal to 21%; the special minimum wage factor is being extended from June 30, 1991 to June 30, 1992; and a final wage multiplier of 4.1% will be applied to wages. This change is estimated to increase the Department's aggregate expenditures for nursing facilities by $46 million in Fiscal Year 1992.

Section 147.TABLE A "Staff Time and Allocation by Need Level" - One licensed minute has been added to each of the four ADL categories, Bathing, Clothing, Eating and Mobility for each level, two therapy minutes have been added to OccupationaL and Physical Therapy for level one, two additional minutes of unlicensed time have been added to Restraint Reduction

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and unlicensed and licensed time have been increased to a full minute each in Social Services as well as an increase of three minutes for social worker time in this category.

Section 147.TABLE B "Staff Time and Allocation for Restorative Programs" - Two licensed minutes have been added to the four restorative ADL categories, Bathing, Clothing, Eating and Mobility for level one and two.

Because the Department is eliminating the 7.1% nursing wage adjustment factor (see 140.150) the costs associated with Sections 147.TABLE A and TABLE B are not estimated to increase the Department's annual aggregate expenditures in Fiscal Year 1992.

10) Are there any Proposed Amendments pending to this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
147.TABLE A	Amendment	May 17, 1991 (15 Ill. Reg. 7501)
147.TABLE B	Amendment	May 17, 1991 (15 Ill. Reg. 7501)

11) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

12) Information and questions regarding these Emergency Amendments shall be directed to:

Name: Daniel Leikvold, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

Interested parties can review the rules pertaining to this change at the Department of Public Aid's local office located in each county, except Cook County, where the rules can be reviewed at the Director's Office, 624 South

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Michigan Avenue, 13th Floor, Chicago, Illinois. The rule can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

The full text of the Emergency Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 147
REIMBURSEMENT FOR NURSING COSTS FOR GERIATRIC FACILITIES

Section

147.5 Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities
147.15 Comprehensive Resident Assessment
147.25 Functional Needs and Restorative Care
147.50 Service Needs
147.75 Definitions
147.100 Reconsiderations
147.105 Midnight Census Report
147.125 Times and Staff Levels
147.150 Statewide Rates
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147.175 Referrals
147.200 Basic Rehabilitation Aide Training Program
147.205 Nursing Rates
147.250 Costs Associated with the Omnibus Budget Reconciliation Act of 1987 (Emergency Expired)
147.300 Determination of Program (Specialized Services) Costs
147.305 Specialized Service Requirements for Individuals With Mental Illness in Residential Facilities
147.310 Inspection of Care (IOC) Review Criteria for the Evaluation of Specialized Services in Residential Facilities for Individuals with Mental Illness
147.315 Comprehensive Functional Assessments and Reassessments
147.320 Interdisciplinary Team (IDT)
147.325 Comprehensive Care Plan (CCP)
147.330 Specialized Care - Administration of Psychopharmacologic Drugs
147.335 Specialized Care - Behavioral Emergencies
147.340 Discharge Planning
147.345 Reimbursement for Program Costs in Nursing Facilities Providing Specialized Services for Individuals with Mental Illness
147.350 Reimbursement for Additional Program Costs Associated with Providing Active Treatment for Individuals with Developmental Disabilities in Nursing Facilities

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Section
147.TABLE A Staff Time and Allocation by Need Level
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147.TABLE B Staff Time and Allocation for Restorative Programs
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147.TABLE C Comprehensive Resident Assessment
147.TABLE D Functional Needs and Restorative Care
147.TABLE E Service
147.TABLE F Social Services
147.TABLE G Therapy Services
147.TABLE H Determinations
147.TABLE I Activities
147.TABLE J Signatures
147.TABLE K Rehabilitation Services

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. lll 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Recodified from 89 Ill. Adm. Code 140.900 thru 140.912 and 140.Table H and 140.Table I at 12 Ill. Reg. 6956; amended at 13 Ill. Reg. 559, effective January 1, 1989; amended at 13 Ill. Reg. 7043, effective April 24, 1989; emergency amendment at 13 Ill. Reg. 10999, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 16796, effective October 13, 1989; amended at 14 Ill. Reg. 210, effective December 21, 1989; emergency amendment at 14 Ill. Reg. 6915, effective April 19, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days; emergency expired November 1, 1990; emergency amendment at 14 Ill. Reg. 14203, effective August 16, 1990, for a maximum of 150 days; emergency expired January 13, 1991; emergency amendment at 14 Ill. Reg. 15578, effective September 11, 1990, for a maximum of 150 days; emergency expired February 8, 1991; amended at 14 Ill. Reg. 16669, effective September 27, 1990; amended at 15 Ill. Reg. 2715, effective January 30, 1991; amended at 15 Ill. Reg. 3058, effective February 5, 1991; amended at 15 Ill. Reg. 7162, effective April 30, 1991; amended at 15 Ill. Reg. 9001, effective June 17, 1991; amended at 15 Ill. Reg. 13390, effective August 28, 1991; emergency amendment at 15 Ill. Reg. 16435, effective October 22, 1991, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

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Section 147.150 Statewide Rates
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a) This Section will become effective ~~January 1, 1987~~ July 1, 1991.~~--89 Ill. Adm. Code 140.905 will no longer be utilized for determining reimbursement rates as of January 1, 1987.~~

b) Per diem reimbursement rates for nursing care in intermediate and skilled care facilities consist of six elements: variable time reimbursement, training time reimbursement, fixed time reimbursement, fringe benefit reimbursement, and reimbursement for allowable costs of supplies, consultants, medical and nursing directors, and therapies.

1) Variable Time Reimbursement. Variable nursing time is that time necessary to meet the major service needs of residents which vary due to their physical or mental conditions. Each need level or specific nursing service measured by the Resident Assessment Instrument is associated with an amount of time and staff level (Sections 147.Table A and 147.Table B). Reimbursement is developed by multiplying the time for each service by the wage(s) of the type of staff performing the service except for occupational therapy, physical therapy and speech therapy. If more than one level of staff are involved in delivering a service, reimbursement for that service will be weighted by the wage and number of minutes allocated to each staff type. When a service can be provided by either an RN or an LPN, the wage used will be weighted by the average mix of RNs and LPNs in the sample of facilities used to set rates.

A) Determination of wages. In calculating the rate, the figures used by the Department for "wages" will be determined in the following manner:

i) The mean wages for the applicable staff levels (RN's, LPN's, Nurse Aides) as reported on the cost reports and determined by geographical location will be the base.

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Section 147.150 Statewide Rates (Cont'd)
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ii) Fringe benefits will be equal to 21% ~~and payroll taxes will be calculated according to the statewide ratio of fringe benefits and payroll taxes to total wages measured from the sample of facilities used to set rates~~;

iii) The ~~resulting~~ fringe benefits ~~and payroll taxes~~ will be added to the base;

iv) This new total will then be updated for inflation from the time period for which the wage data are available to the midpoint of the rate year to recognize projected wage changes.--~~The wage inflation rate used to update wages will be determined by comparing the historical change in nursing home wages in Illinois between 1976 and the time the latest wage information is available to the change in the DRI average hourly earnings, production workers for nursing and personal care facilities index for the U.S. for the same period.~~

~~v) The resulting ratio will be applied to the projected change in the Data Resources Incorporated (DRI) average hourly earnings, production workers for nursing and personal care facilities for the U.S. between the cost report year and the midpoint of the rate year. --This yields a wage inflation rate which will be applied to the total described in subsection (e) to produce total wages by applicable staff levels and geographic location.~~

~~vi)~~v) Special minimum wage factor. For the period July 1, 1990, through June 30, ~~1991~~ 1992, the Department will modify the process used in subsection (b)(1)(A)(i) to determine regional mean wages for Registered Nurses (RN),

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Section 147.150 Statewide Rates (Cont'd)
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Licensed Practical Nurses (LPN) and nurse aides to include a minimum wage factor. For those homes below the statewide average the wage is replaced by 90% of the statewide average. Effective July 1, 1991, a final wage multiplier of 4.1% will be applied to wages.

B) Determination of Times and Staff Levels. The times and staff levels have been assigned by a panel of administrators and nurses active in long term care. Prior time/motion studies were used to assist the panel. These times will be reviewed periodically to insure that they accurately reflect nursing practice in the State.

2) Training Time Reimbursement

Training Time Reimbursement is determined by assessed need for training, the time allotted for training and the wage rates for licensed and nurse aide staff during the rate year.

3) Fixed Time Reimbursement. Fixed or indirect nursing time is that time which does not vary with resident condition or which cannot be measured by an assessment tool. It includes such items as staff meetings, supervision, "downtime", checking physicians' orders and time spent with residents which does not vary with condition. A statewide sample of residents will be used to determine "fixed" time. The mean variable time will be computed for the sample for each level of care, and this amount subtracted from Department of Public Health Minimum Staffing Ratios plus 5% for each level of care. (Department of Public Health Minimum Staffing Ratios, which are measured in terms of time, can be found in 77 Ill. Adm. Code 300.1230). Once the "fixed" time has been determined, the minutes will be weighted at 20% licensed and 80% unlicensed time and multiplied by the appropriate wage. This amount

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will be added to variable time for each resident in the sample. If fixed time is less than zero minutes, then it will equal zero.

4) Vacation, Sick Leave and Holiday Time. The time to be added for vacation, sick leave and holidays will be determined by multiplying the sum of Variable and Fixed Time by 5%. This time will then be weighted by 80% unlicensed and 20% licensed wages to determine the amount to be added to the rate for these benefits.

5) Special Supplies, Consultants and the Director of Nursing.

Finally, amounts will be added for health care and program supplies, consultants required by Department of Public Health (including the Medical Director), and the Director of Nursing. (A list of consultants required by the Department of Public Health can be found in 77 Ill. Adm. Code 300.830).

A) Supplies will be updated for inflation using the General Services Inflator (see 89 Ill. Adm. Code 140.551). A standard amount by level of care will be allocated for supplies. This amount will be determined based on the ratio of median updated supply costs by region to median costs for variable and fixed time by level of care (SNF/ICF) by region.

B) The same analysis will be used to determine an amount for Consultants (including Medical Director) and the Director of Nursing. However, these costs will be updated with the wage inflation rate.

6) Therapies. Reimbursement for physical therapy, occupational therapy, and speech therapy will not be based upon individual resident need assessments, but upon the total therapy program days the facility provided to Medicaid residents over the six-month period prior to and including

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the resident assessment date. These therapy days, by therapy type and level (see Table H) will be associated with staff time per day as shown in Table H and staff wages to produce a per diem rate for each of the three therapy types.

c) Determination of Facility Rates.

1) The rate each facility receives will be determined by the assessed needs of residents the facility serves. Effective January 1, 1990, nurses from Department of Public Aid (DPA) will conduct an assessment of 100% of the Medicaid residents by level of care in each home annually. ~~The inspection of care (IOC) assessment will be conducted concurrently with the QUIP assessment if the facility chooses to participate in QUIP.~~ The assessment will be conducted during the four month period prior to the annual nursing IOC rate adjustment date. The needs of the residents in the sample will be assessed with the Resident Assessment Instrument. An amount for each resident will be calculated by multiplying the number of minutes from the assessment by the appropriate wage/wages for each assessment item (see (a) above), adding the appropriate amount for fixed time (see (b) above) and amounts for vacation, sick and holiday time (see (c) above), supplies, consultants, and the Director of Nursing, (see (d) above). The average of the rates for residents assessed will become the facility's per diem reimbursement rate for each Medicaid patient in the facility effective on the facility's annual nursing IOC rate adjustment date.

2) A copy of the Resident Assessment will be left with the facility upon completion.

d) Adjustment in Instrument. Residents assessed as being in need of a service but is not receiving the required service will be scored soley as need not met.

e) An interim IOC may be requested by a facility by notifying, in writing, the Bureau of Long Term Quality

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Care Bureau Chief within 180 days of the exit date of the last IOC. The following criteria shall be met before a request for an interim IOC can be made. A 25% or greater turnover in Medicaid residents since the last IOC or there has been a 7% or greater increase in the average per patient care time. The request for the interim IOC shall contain a full explanation of why the facility meets the criteria and must include any documentation relevant to the request. The facility will be notified within 45 days from the date the request is received of whether an interim IOC will be conducted. If approved, the Bureau will conduct a full IOC within 60 days of the written approval decision. Upon reassessment, an amended 2700 will be forwarded to the DPA. Upon receipt of the amended 2700 the facility's rate will become effective for the final six months of that facility's rate year.

f) If the interim IOC is scheduled to take place during the period when the next annual IOC is scheduled, only one IOC will be done. The rate that results will apply for the 18 month period which begins with the effective date of the interim IOC rate.

(Source: Emergency amendment at 15 Ill. Reg. 16435, effective October 22, 1991, for a maximum of 150 days)

Section 147.TABLE A Staff Time and Allocation by Need Level
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a) The following reimbursement times, allocations, and need levels apply for all reimbursement periods commencing on January 1, 1988, through June 30, 1989.

Item	Level	Time	Allocation	Staff Type
Bathing, Grooming	0	6		Nurse Aide
	1	12		Nurse Aide
	2	22		Nurse Aide
Clothing	0	4		Nurse Aide
	1	10		Nurse Aide
	2	20		Nurse Aide

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Section 147.TABLE A Staff Time and Allocation by Need Level
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Item	Level	Time	Allocation	Staff Type
Eating	0	6		Nurse Aide
	1	15		Nurse Aide
	2	39		Nurse Aide
	3	39		Licensed Staff
Mobility	0	5		Nurse Aide
	1	12		Nurse Aide
	2	14		Nurse Aide
Continence	0	2		
	1	14		Nurse Aide
	2	18		Nurse Aide
	3	22		Nurse Aide
Psycho-Social Care	0	12		Nurse Aide
	1	22	17.5/4.5	Nurse Aide/ Licensed Staff
	2	28	19.5/8.5	Nurse Aide/ Licensed Staff
	3	36	35/1	Nurse Aide/ Licensed Staff
Appliances	0	0		
	1	6	5/1	Nurse Aide/ Licensed Staff
	2	12	10/2	Nurse Aide/ Licensed Staff
Catheters	0	0		
	1	12	6/6	Nurse Aide/ Licensed Staff
	2	14		Licensed Staff
Decubitus Care	0	0		
	1	8		Licensed Staff
	2	20		Licensed Staff
	3	0	0/0	
	4	0	0/0	
Decubitus Prevention	0	0		Nurse Aide/
	1	8	6/2	Licensed Staff
	2	14	12/2	Nurse Aide/ Licensed Staff

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Section 147.TABLE A Staff Time and Allocation by Need Level (Cont'd)
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Item	Level	Time	Allocation	Staff Type
Wound Care	0	0		
	1	6		Licensed Staff
	2	18		Licensed Staff
Injections	0	0		
	1	1		Licensed Staff
	2	4.5		Licensed Staff
Intravenous, Clysis	0	0		
	1	4		Licensed Staff
	2	8		Licensed Staff
Lab Specimen	0	0		
	1	1	.5/.5	Nurse Aide/ Licensed Staff
	2	2	1/1	Nurse Aide/ Licensed Staff
	3	10	5/5	Nurse Aide/ Licensed Staff
Speech - Language Pathology and Audiology	0	0		
	1	8		Therapist
Medications and Medication Monitoring	0	12		Licensed Staff
	1	14		Licensed Staff
	2	16		Licensed Staff
	3	18		Licensed Staff
Occupational Therapy	0	0		
	1	14		Therapist
	2	14	13/1	COTA/Therapist
	3	14	13/1	Nurse Aide/
Ostomy Care				Therapist
	4	1		Therapist
	0	0		
	1	6		Licensed
	2	13		Licensed
Physical Therapy	0	0		
	1	14		Therapist

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Section 147.TABLE A Staff Time and Allocation by Need Level (Cont'd)
EMERGENCY

Item	Level	Time	Allocation	Staff Type
Physical Therapy	2	14	13/1	PTA/Therapist
	3	14	13/1	Nurse Aide/ Therapist
	4	1		Therapist
Respiratory Therapy	0	0		
	1	17	15/2	Nurse Aide/ Licensed Staff
	2	25	5/20	Nurse Aide/ Licensed Staff
Tracheostomy Care	0	0		
	1	6		Licensed Staff
	2	13		Licensed Staff
Suctioning	0	0		
	1	5		Licensed Staff
	2	30		Licensed Staff
Passive Range of Motion	0	0		
	1	7		Nurse Aide
	2	14		Nurse Aide
Discharge Planning	0	0		
	1	10		Licensed Staff
Health and Fitness	0	0		
	1	4	3/1	Nurse Aide/ Licensed Staff
	2	5	3/2	Nurse Aide/ Licensed Staff
	3	4	3/1	Nurse Aide/ Licensed Staff
Activities	0	10		Nurse Aide
Grooming	0	3		Nurse Aide

Agency Note: level "0" carries no reimbursement potential when accompanied by "0" time. Level "0" provides reimbursement for every facility when accompanied with time. Such time becomes a facility's base rate for every resident.

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Section 147.TABLE A Staff Time and Allocation by Need Level
EMERGENCY (Cont'd)

b) The following reimbursement times, allocations, and need levels apply for all reimbursement periods commencing on July 1, 1989 through December 31, 1990.

Item	Level	Time	Allocation	Staff Type
Bathing, Grooming	0	6		Nurse Aide
	1	12		Nurse Aide
	2	22		Nurse Aide
Clothing	0	4		Nurse Aide
	1	10		Nurse Aide
	2	20		Nurse Aide
Eating	0	6		Nurse Aide
	1	15		Nurse Aide
	2	39		Nurse Aide
	3	39		Licensed Staff
Mobility	0	5		Nurse Aide
	1	12		Nurse Aide
	2	14		Nurse Aide
Continence	0	2		
	1	14		Nurse Aide
	2	19.6		Nurse Aide
Psycho-Social Care	0	12		Nurse Aide
	1	28	19.5/8.5	Nurse Aide/ Licensed Staff
Appliances	0	0		
	1	7	6/1	Nurse Aide/ Licensed Staff
Catheters	0	0		
	1	12.1	6/6.1	Nurse Aide/ Licensed Staff
Decubitus Care	0	0		
	1	8		Licensed Staff
	2	20		Licensed Staff
	3	0	0/0	
	4	0	0/0	

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Section 147.TABLE A Staff Time and Allocation by Need Level
EMERGENCY (Cont'd)

Item	Level	Time	Allocation	Staff Type
Decubitus Prevention	0	0		Nurse Aide/
	1	8	6/2	Licensed Staff
	2	14	12/2	Nurse Aide/ Licensed Staff
Wound Care	0	0		
	1	6		Licensed Staff
	2	18		Licensed Staff
Injections	0	0		
	1	1		Licensed Staff
	2	4.5		Licensed Staff
Intravenous, Clysis	0	0		
	1	4		Licensed Staff
	2	8		Licensed Staff
Lab Specimen	0	0		
	1	1	.5/.5	Nurse Aide/ Licensed Staff
	2	2	1/1	Nurse Aide/ Licensed Staff
	3	10	5/5	Nurse Aide/ Licensed Staff
Speech - Language Pathology and Audiology	0	0		
	1	0		Therapist
Medications and Medication	0	12.8		Licensed Staff
	1	16.1		Licensed Staff
Occupational Therapy	0	0		
	1	13		Therapist
Ostomy Care	0	0		
	1	6		Licensed
	2	13		Licensed
Physical Therapy	0	0		
	1	13		Nurse Aide

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NOTICE OF EMERGENCY AMENDMENTS

Section 147.TABLE A Staff Time and Allocation by Need Level (Cont'd)
EMERGENCY

Item	Level	Time	Allocation	Staff Type
Respiratory Therapy	0	0		
	1	17	15/2	Nurse Aide/ Licensed Staff
	2	25	5/20	Nurse Aide/ Licensed Staff
Tracheostomy Care	0	0		
	1	6		Licensed Staff
	2	13		Licensed Staff
Suctioning	0	0		
	1	5		Licensed Staff
	2	30		Licensed Staff
Passive Range of Motion	0	0		
	1	11.8		Nurse Aide
Discharge Planning	0	0		
	1	10		Licensed Staff
Health and Fitness	0	0		
	1	4	3/1	Nurse Aide/ Licensed Staff
Activities	0	10		Nurse Aide
Grooming	0	3		Nurse Aide

c) The following reimbursement times, allocations, and need levels apply for all reimbursement periods commencing on ~~or after~~ January 1, 1991 through June 30, 1991.

Item	Level	Time	Allocation	Staff Type
Bathing, Grooming	0	6		Nurse Aide
	1	12		Nurse Aide
	2	22		Nurse Aide
Clothing	0	4		Nurse Aide
	1	10		Nurse Aide
	2	20		Nurse Aide

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NOTICE OF EMERGENCY AMENDMENTS

Section 147.TABLE A Staff Time and Allocation by Need Level (Cont'd)
EMERGENCY

Item	Level	Time	Allocation	Staff Type
Eating	0	6		Nurse Aide
	1	15		Nurse Aide
	2	39		Nurse Aide
	3	39		Licensed Staff
Mobility	0	5		Nurse Aide
	1	12		Nurse Aide
	2	14		Nurse Aide
Continence	0	2		
	1	14		Nurse Aide
	2	19.6		Nurse Aide
Psycho-Social Care	0	12		Nurse Aide
	1	28	19.5/8.5	Nurse Aide/ Licensed Staff
Appliances	0	0		
	1	7	6/1	Nurse Aide/ Licensed Staff
Catheters	0	0		
	1	12.1	6/6.1	Nurse Aide/ Licensed Staff
Decubitus Care	0	0		
	1	8		Licensed Staff
	2	20		Licensed Staff
	3	0	0/0	
	4	0	0/0	
Decubitus Prevention	0	0		Nurse Aide/
	1	8	6/2	Licensed Staff
	2	14	12/2	Nurse Aide/ Licensed Staff
Wound Care	0	0		
	1	6		Licensed Staff
	2	18		Licensed Staff
Injections	0	0		
	1	1		Licensed Staff
	2	4.5		Licensed Staff

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Section 147.TABLE A EMERGENCY — Staff Time and Allocation by Need Level (Cont'd)

Item	Level	Time	Allocation	Staff Type
Intravenous, Clysis	0	0		
	1	4		Licensed Staff
	2	8		Licensed Staff
Lab Specimen	0	0		
	1	1	.5/.5	Nurse Aide/ Licensed Staff
	2	2	1/1	Nurse Aide/ Licensed Staff
	3	10	5/5	Nurse Aide/ Licensed Staff
Speech - Language Pathology and Audiology	0	0		
	1	0		Therapist
Medications and Medication Monitoring	0	12.8		Licensed Staff
	1	16.1		Licensed Staff
	2	18.1		Licensed Staff
Occupational Therapy	0	0		
	1	13		Therapist
Ostomy Care	0	0		
	1	6		Licensed
	2	13		Licensed
Physical Therapy	0	0		
	1	13		Nurse Aide
Respiratory Therapy	0	0		
	1	17	15/2	Nurse Aide/ Licensed Staff
	2	25	5/20	Nurse Aide/ Licensed Staff
Tracheostomy Care	0	0		
	1	6		Licensed Staff
	2	13		Licensed Staff
Suctioning	0	0		
	1	5		Licensed Staff
	2	30		Licensed Staff

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NOTICE OF EMERGENCY AMENDMENTS

Section 147.TABLE A EMERGENCY — Staff Time and Allocation by Need Level (Cont'd)

Item	Level	Time	Allocation	Staff Type
Passive Range of Motion	0	0		
	1	11.8		Nurse Aide
Resident Assessment	0	2.6	.5/1.1/ .7/.3	Nurse Aide/ Licensed Staff/ Registered Nurse/Social Worker
	1	7.8	1.5/3.3/ 2.1/.9	Nurse Aide/ Licensed Staff/ Registered Nurse/Social Worker
Discharge Planning	0	0		
	1	10		Licensed Staff
Health and Fitness	0	0		
	1	4	3/1	Nurse Aide/ Licensed Staff
Activities	0	10		Nurse Aide
Grooming	0	3		Nurse Aide
Social Services	0	0		
	1	2	.5/.5/1	Nurse Aide/ Licensed Staff/ Social Worker
	2	3.6	.8/.8/2	Nurse Aide Licensed Staff/ Social Worker
Continence Restorative	0	0		
	1	14	12/2	Nurse Aide/ Licensed Staff
	2	26	24/2	Nurse Aide/ Licensed Staff

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Section 147.TABLE A EMERGENCY — Staff Time and Allocation by Need Level (Cont'd)

Item	Level	Time	Allocation	Staff Type
Restraint Management and Reduction	0	0		
	1	8	6/2	Nurse Aide Licensed Staff
Communication	0	0		
	1	2.5	2/.5	Nurse Aide/ Licensed Staff
	2	5	4/1	Nurse Aide/ Licensed Staff
	3	7.5	6/1.5	Nurse Aide/ Licensed Staff

Agency Note: level "0" carries no reimbursement potential when accompanied by "0" time. Level "0" provides reimbursement for every facility when accompanied with time. Such time becomes a facility's base rate for every resident.

d) The following reimbursement times, allocations, and need levels apply for all reimbursement periods commencing on or after July 1, 1991.

Item	Level	Time	Allocation	Staff Type
Bathing, Grooming	0	7	6/1	Nurse Aide/ Licensed Staff
	1	13	12/1	Nurse Aide/ Licensed Staff
	2-	23	22/1	Nurse Aide/ Licensed Staff
Clothing	0	5	4/1	Nurse Aide/ Licensed Staff
	1	11	10/1	Nurse Aide/ Licensed Staff
	2-	21	20/1	Nurse Aide/ Licensed Staff
Eating	0	7	6/1	Nurse Aide/ Licensed Staff
	1	16	15/1	Nurse Aide/ Licensed Staff

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Section 147.TABLE A EMERGENCY — Staff Time and Allocation by Need Level (Cont'd)

Item	Level	Time	Allocation	Staff Type
Eating	2	40	39/1	Nurse Aide/ Licensed Staff
	3	40		Licensed Staff
Mobility	0	6	5/1	Nurse Aide/ Licensed Staff
	1	13	12/1	Nurse Aide/ Licensed Staff
	2	15	14/1	Nurse Aide/ Licensed Staff
Continence	0	2		
	1	14		Nurse Aide
	2	19.6		Nurse Aide
Psycho-Social Care	0	12		Nurse Aide
	1	28	19.5/8.5	Nurse Aide/ Licensed Staff
Appliances	0	0		
	1	7	6/1	Nurse Aide/ Licensed Staff
Catheters	0	0		
	1	12.1	6/6.1	Nurse Aide/ Licensed Staff
Decubitus Care	0	0		
	1	8		Licensed Staff
	2	20		Licensed Staff
	3	0	0/0	
	4	0	0/0	
Decubitus Prevention	0	0		Nurse Aide/
	1	8	6/2	Licensed Staff
	2	14	12/2	Nurse Aide/ Licensed Staff
Wound Care	0	0		
	1	6		Licensed Staff
	2	18		Licensed Staff

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Section 147.TABLE A Staff Time and Allocation by Need Level (Cont'd)
EMERGENCY

Item	Level	Time	Allocation	Staff Type
Injections	0	0		
	1	1		Licensed Staff
	2	4.5		Licensed Staff
Intravenous, Clysis	0	0		
	1	4		Licensed Staff
	2	8		Licensed Staff
Lab Specimen	0	0		
	1	1	.5/.5	Nurse Aide/ Licensed Staff
	2	2	1/1	Nurse Aide/ Licensed Staff
	3	10	5/5	Nurse Aide/ Licensed Staff
Speech - Language Pathology and Audiology	0	0		
	1	0		Therapist
Medications and Medication Monitoring	0	12.8		Licensed Staff
	1	16.1		Licensed Staff
	2	18.1		Licensed Staff
Occupational Therapy	0	0		
	1	15	13/2	Nurse Aide/ Therapist
Ostomy Care	0			
	1	6		Licensed
	2	13		Licensed
Physical Therapy	0	0		
	1	15	13/2	Nurse Aide/ Therapist
Respiratory Therapy	0	0		
	1	17	15/2	Nurse Aide/ Licensed Staff
	2	25	5/20	Nurse Aide/ Licensed Staff

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Section 147.TABLE A Staff Time and Allocation by Need Level (Cont'd)
EMERGENCY

Item	Level	Time	Allocation	Staff Type
Tracheostomy Care	0	0		
	1	6		Licensed Staff
	2	13		Licensed Staff
Suctioning	0	0		
	1	5		Licensed Staff
	2	30		Licensed Staff
Passive Range of Motion	0	0		
	1	11.8		Nurse Aide
Resident Assessment	0	2.6	.5/1.1/ .7/.3	Nurse Aide/ Licensed Staff/ Registered Nurse/Social Worker
	1	7.8	1.5/3.3/ 2.1/.9	Nurse Aide/ Licensed Staff/ Registered Nurse/Social Worker
Discharge Planning	0	0		
	1	10		Licensed Staff
Health and Fitness	0	0		
	1	4	3/1	Nurse Aide/ Licensed Staff
Activities	0	10		Nurse Aide
Grooming	0	3		Nurse Aide
Social Services	0	0		
	1	2	.5/.5/1	Nurse Aide/ Licensed Staff/ Social Worker
	2	7	1/1/5	Nurse Aide/ Licensed Staff/Social Worker

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Section 147.TABLE A EMERGENCY — Staff Time and Allocation by Need Level (Cont'd)

Item	Level	Time	Allocation	Staff Type
Continence Restorative	0	0		
	1	14	12/2	Nurse Aide/ Licensed Staff
	2	26	24/2	Nurse Aide/ Licensed Staff
Restraint Management and Reduction	0	0		
	1	10	8/2	Nurse Aide/ Licensed Staff
Communication	0	0		
	1	2.5	2/.5	Nurse Aide/ Licensed Staff
	2	5	4/1	Nurse Aide/ Licensed Staff
	3	7.5	6/1.5	Nurse Aide/ Licensed Staff

Agency Note: level "0" carries no reimbursement potential when accompanied by "0" time. Level "0" provides reimbursement for every facility when accompanied with time. Such time becomes a facility's base rate for every resident.

(Source: Emergency amendment at 15 Ill. Reg. 16435, effective October 22, 1991, for a maximum of 150 days)

Section 147.TABLE B EMERGENCY — Staff Time and Allocation for Restorative Programs

Table B refers to Section 147.25(e), "Restorative Care"

a) The following reimbursement times, allocations, and need levels apply for all reimbursement periods commencing on January 1, 1988, through June 30, 1989.

Item	Level	Time	Allocation	Staff Type
Bathing, Grooming	0	0		
	1	14	12/2	Nurse Aide/ Licensed Staff

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Section 147.TABLE B EMERGENCY — Staff Time and Allocation for Restorative Programs (Cont'd)

Item	Level	Time	Allocation	Staff Type
Clothing	0	0		
	1	14	12/2	Nurse Aide/ Licensed Staff
Eating	0	0		
	1	14	12/2	Nurse Aide/ Licensed Staff
Mobility	0	0		
	1	20	18/2	Nurse Aide/ Licensed Staff

Agency Note: Level "0" carries no reimbursement potential when accompanied by "0" time.

b) The following reimbursement times, allocations, and need levels apply for all reimbursement periods commencing on ~~or after~~ July 1, 1989 through June 30, 1991.

Item	Level	Time	Allocation	Staff Type
Bathing, Grooming	0	0		
	1	14	12/2	Nurse Aide/ Licensed Staff
	2	20	18/2	Nurse Aide/ Licensed Staff
Clothing	0	0		
	1	14	12/2	Nurse Aide/ Licensed Staff
	2	20	18/2	Nurse Aide/ Licensed Staff
Eating	0	0		
	1	14	12/2	Nurse Aide/ Licensed Staff
	2	23	21/2	Nurse Aide/ Licensed Staff
Mobility	0	0		
	1	20	18/2	Nurse Aide/ Licensed Staff

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Section 147.TABLE B EMERGENCY — Staff Time and Allocation for Restorative Programs (Cont'd)

Item	Level	Time	Allocation	Staff Type
Mobility	2	27	25/2	Nurse Aide/ Licensed Staff

c) The following reimbursement times, allocations, and need levels apply for all reimbursement periods commencing on or after July 1, 1991.

Item	Level	Time	Allocation	Staff Type
Bathing, Grooming	0	0		
	1	16	12/4	Nurse Aide/ Licensed Staff
	2	22	18/4	Nurse Aide/ Licensed Staff
Clothing	0	0		
	1	16	12/4	Nurse Aide/ Licensed Staff
	2	22	18/4	Nurse Aide/ Licensed Staff
Eating	0	0		
	1	27	22/5	Nurse Aide/ Licensed Staff
	2	36	31/5	Nurse Aide/ Licensed Staff
Mobility	0	0		
	1	22	18/4	Nurse Aide/ Licensed Staff
	2	29	25/4	Nurse Aide/ Licensed Staff

Agency Note: Level "0" carries no reimbursement potential when accompanied by "0" time.

(Source: Emergency amendment at 15 Ill. Reg. 16435, effective October 22, 1991, for a maximum of 150 days)

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NOTICE OF EMERGENCY AMENDMENTS

1) The Heading of the Part: Control of Sexually Transmissible Diseases Code

2) Code Citation: 77 Ill. Adm. Code 693

3) Section Numbers: — Emergency Action:

693.10	Amendment
693.15	Amendment
693.30	Amendment
693.40	Amendment
693.45	New Section
693.100	Amendment

4) Statutory Authority: The Illinois Sexually Transmissible Disease Control Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 7401 et seq., as amended by P.A. 87-763 effective October 4, 1991.)

5) Effective Date of Amendments: October 28, 1991.

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable.

7) Date Filed in Agency's Principal Office: October 28, 1991.

8) Reason for Emergency: This rulemaking implements Public Act 87-763 (Senate Bill 999), which was signed into law on October 4, 1991, with an immediate effective date. P.A. 87-763 requires the Department to review reports of HIV infection and AIDS to determine whether the subject of the report may have presented a possible risk of HIV transmission. The Department is required, when medically appropriate, to investigate the subject of the report and that person's contacts, as defined in the public act, to assess the potential risks of transmission.

9) A Complete Description of the Subjects and Issues Involved:

This emergency rulemaking establishes procedures that will be utilized by the Department in investigating reports of health care providers infected with AIDS and patients infected with AIDS who have had invasive procedures performed on them, and in notifying persons who have had contact with the subjects of such reports. The rulemaking specifies that reports of AIDS cases, already required by these rules, shall include information concerning whether the subject of the report has had invasive procedures performed on him or her, and whether the subject is a health care provider. Terms including "exposure-prone invasive procedure", "health care provider", and "invasive procedure" are defined and the definition of "contact" is expanded. This rulemaking also includes provisions concerning STD reporting requirements that have long been included in this Part, but that were inadvertently deleted from amendments to this Part that became effective on August 15, 1991.

10) Are there any proposed amendments to this Part pending? No.

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NOTICE OF EMERGENCY AMENDMENTS

11) Statement of Statewide Policy Objectives:

This rulemaking may require minimal additional expenditures by units of local government.

12) Information and questions regarding these amendments shall be directed to:

Gail DeVito
Division of Governmental Affairs
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
217-782-6187

The full text of the emergency amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER k: COMMUNICABLE DISEASE CONTROL AND IMMUNIZATIONS

PART 693
CONTROL OF SEXUALLY TRANSMISSIBLE DISEASES CODE

Section
693.10 Definitions
EMERGENCY
693.15 Incorporated Materials
EMERGENCY
693.20 Reportable STDs and Laboratory Results
693.30 Reporting
EMERGENCY
693.35 Fines and Penalties
693.40 Contact Interview and Investigation
EMERGENCY
693.45 Notification of Health Care Contacts
EMERGENCY
693.50 Physical Examination and Medical Treatment for Syphilis, Gonorrhea, Chlamydia
693.60 Isolation for Syphilis, Gonorrhea, Chlamydia
693.70 Counseling and Education for AIDS and HIV
693.80 Isolation for AIDS and HIV
693.90 Quarantine
693.100 Confidentiality
EMERGENCY
693.110 Examination and Treatment of Prisoners
693.120 Certificate of Freedom from STDs
693.130 Treatment of Minors
693.140 Control Measures

AUTHORITY: Implementing and authorized by Illinois Sexually Transmissible Disease Control Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 7401 et seq., as amended by P.A. 87-763, effective October 4, 1991) and "AN ACT in relation to public health" (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 22 and 22.04).

SOURCE: Adopted at 12 Ill. Reg. 10097, effective May 27, 1988; amended at 15 Ill. Reg. 11686, effective August 15, 1991; Emergency amendment at 15 Ill. Reg. 16462, effective October 28, 1991, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE OR PARAPHRASE THEREOF.

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Section 693.10 Definitions
EMERGENCY

The following definitions shall apply to the terms used in this Part, unless specifically stated otherwise:

"Act" means Illinois Sexually Transmissible Disease Control Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 7401 et seq.).

"Blood Bank" means any facility or location at which blood or plasma are procured, furnished, donated, processed, stored or distributed.

"Carrier" means a person infected with an STD who is capable of transmitting the infection to others.

"Contact" means ~~a person who has been in direct sexual contact with a carrier; a contact to AIDS/HIV is a person who has been in direct sexual or needle contact with a person with AIDS or HIV infection, or who has received insemination, a blood transfusion or an organ or tissue transplantation donated by a person with AIDS, or HIV infection.~~

an individual who has been in direct sexual contact with a carrier of syphilis, gonorrhea or chlamydia;

an individual who has been in direct sexual or needle contact with a person with AIDS or HIV infection;

an individual who has received insemination, a blood transfusion or an organ or tissue transplantation donated by a person with AIDS or HIV infection;

AN INDIVIDUAL WHO HAS UNDERGONE INVASIVE PROCEDURES PERFORMED BY AN HIV INFECTED HEALTH CARE PROVIDER AND THE DEPARTMENT HAS DETERMINED THAT THERE IS OR MAY HAVE BEEN POTENTIAL RISK OF HIV TRANSMISSION FROM THE HEALTH CARE PROVIDER TO THAT INDIVIDUAL;

A HEALTH CARE PROVIDER WHO HAS PERFORMED INVASIVE PROCEDURES FOR A PERSON INFECTED WITH HIV AND THE DEPARTMENT HAS DETERMINED THAT THERE IS OR MAY HAVE BEEN POTENTIAL RISK OF HIV TRANSMISSION FROM THE INFECTED PERSON TO THE HEALTH CARE PROVIDER.

"Department" means the ILLINOIS DEPARTMENT OF PUBLIC HEALTH (Section 3 of the Act.)

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"Designated Agency" means a health care organization designated by the Department under a service agreement with the Department to function in the capacity of a Local Health Authority for the purposes of this Part, in a jurisdiction not covered by a Local Health Authority.

"Epidemiologic Data" means information obtained through the contact interview and counseling process, regarding possible exposure to an STD.

"Exposure-Prone Invasive Procedure" means an invasive procedure involving digital palpation of a needle tip in a body cavity, or the simultaneous presence of a health care provider's fingers and a needle or other sharp instrument or object in a poorly visualized or highly confined anatomical site.

"HEALTH CARE PROVIDER" MEANS ANY PHYSICIAN, DENTIST, PODIATRIST, NURSE OR OTHER PERSON PROVIDING HEALTH CARE SERVICES OF ANY KIND.

"HIV" means the human immunodeficiency virus.

"HIV-Infection" means infected with HIV, as evidenced by a confirmed laboratory test for antibodies to HIV as specified in Section 697.100 viral culture or positive antigen test or a clinical diagnosis of AIDS.

"Invasive Procedure" means surgical entry into tissues, cavities, or organs or repair of major traumatic injuries associated with any of the following:

an operating or delivery room, emergency department, or outpatient setting, including both physicians' and dentists' offices;

cardiac catheterizations and angiographic procedures;

vaginal or cesarean delivery or other invasive obstetrical procedure during which bleeding may occur; or

manipulation, excision of any oral or perioral tissue, including tooth structure, during which bleeding or the potential for bleeding exists.

"Isolation" means separation of an individual presenting a threat to the public health from others until such time as a risk to the public health no longer exists.

"Laboratory" means any facility or location at which tests are performed to determine the presence of infection with an STD, other than a blood bank.

"Local Health Authority" means THE FULL-TIME OFFICIAL HEALTH DEPARTMENT OR BOARD OF HEALTH HAVING JURISDICTION OVER A PARTICULAR AREA (Section 3

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of the Act.)

"Quarantine" means the closure to public access of a location that presents a risk to the public health until such time that a risk to the public health no longer exists.

"Sexually Transmissible Disease (STD)" means Syphilis, Gonorrhea, Chlamydia, Acquired Immunodeficiency Syndrome (AIDS) or HIV Infection, as defined in Section 693.20.

"Self-Refer" means to notify one's previous sex and needle sharing contacts, where applicable, of their possible exposure to an STD or HIV, and to refer such contacts to appropriate health professionals for counseling and possible testing.

"Susceptible" means capable of becoming infected with the etiologic agent of an STD.

"Suspected Case" means a person who is reasonably believed to be infected with an STD, based on medical or epidemiologic data.

"Venereal Disease" means a formerly used term now synonymous with STD.

(Source: Emergency amendment at 15 Ill. Reg. 16462, effective October 28, 1991, for a maximum of 150 days)

Section 693.15 Incorporated Materials
EMERGENCY

The following materials are incorporated or referenced in this Part:

a) Illinois Statutes

1) "Illinois Sexually Transmissible Disease Control Act" (Ill. Rev. Stat. 1987. ch. 111 1/2, par. 7401 et seq., as amended by P.A. 87-763, effective October 4, 1991).

2) "AN ACT in relation to public health" (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 22 and 22.04).

3) "AN ACT in relation to the performance of medical, dental or surgical procedures on and counseling for minors" (Ill. Rev. Stat. 1989, ch. 111, par. 4501 et seq, in particular par. 4504).

b) Illinois Rules

1) AIDS Confidentiality and Testing Code (77 Ill. Adm. Code 697), (See Sections 693.30 (b)(1), 693.30 (d) and (h) and 693.100 (b)(4) and (5) of this Part).

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2) Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100) (See Section 693.35 of this Part).

3) Program Standards for Local Health Departments (77 Ill. Adm. Code 615) (See Section 693.40 (c)(7) of this Part).

c) Other Codes, Guidelines and Standards

1) "Revision of the CDC Surveillance Case Definition for Acquired Immunodeficiency Syndrome", Centers for Disease Control (CDC). Mortality and Morbidity Weekly Report (MMWR) Suppl. 1987; 36(No. 1S), Public Health Service, U.S. Department of Health and Human Services, Atlanta, Georgia 30333.

2) "AIDS Confidential Case Report" a form prepared by the Centers for Disease Control, Public Health Service, U.S. Department of Health and Human Services, Atlanta, Georgia 30333, Office of Management and Budget (OMB) No. 0920-0009.

3) "Recommendations for Prevention of HIV Transmission in Health-Care Settings" (Centers for Disease Control, MMWR 1987, vol. 36, Suppl. no. 25, pages 3S-18S).

4) Joint Advisory Notice, Department of Labor/Department of Health and Human Services, HBV/HIV, Federal Register, Vol. 52, No. 210, pp. 41818-41823, October 30, 1987 (See Section 639.140)

5) "Recommendations for Preventing Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to Patients During Exposure-Prone Invasive Procedures" (Centers for Disease Control, Morbidity and Mortality Weekly Report (MMWR), Vol. 40, No. RR-8, July 12, 1991).

d) All citations to federal regulations in this Part concern the specified regulations in the 1990 Code of Federal Regulations, unless another date is specified.

e) All incorporations by reference of federal regulations or standards and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.

(Source: Emergency amendment at 15 Ill. Reg. 16462, effective October 28, 1991, for a maximum of 150 days)

Section 693.30 Reporting
EMERGENCY

a) Every physician licensed under the provisions of the Illinois Medical Practice Act shall report each case in which the physician has clinically diagnosed or treated a case of AIDS,

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HIV infection, syphilis, gonorrhea or chlamydia, or received a reportable STD laboratory result as set forth in Section 693.20(b). A hospital may, at the request of the physician of a person who has been admitted to the hospital, submit the physician's report to the appropriate health authority through the hospital's established disease-reporting mechanism. In all cases, the physician is responsible for ensuring that reporting is accomplished.

1) The STD case report shall be mailed within five days after such diagnosis or treatment. The STD laboratory report shall be mailed within five (5) days after receipt of the laboratory results.

2) If the reporting source is located in a county or city governed by a full-time Local Health Authority, the STD report shall be made to that health authority. For syphilis, gonorrhea and chlamydia patients in jurisdictions not covered by a Local Health Authority but by a Designated Agency, such reports shall be made to that Designated Agency. In all other cases, the STD report shall be made directly to the Illinois Department of Public Health.

3) For cases of AIDS or HIV infection, the STD report shall be made on a form furnished by the Department. The STD report shall state the name, address and telephone number of the physician, the date of the report, as well as the following information, as available:

A) For AIDS:

i) The individual's name, address, telephone number, age, race/ethnicity, sex, hospital where diagnosis of AIDS was established;~~,~~

ii) Risk factors;

iii) The diagnosis and any laboratory findings, including HIV test results;~~,~~

iv) Each AIDS related diagnosed successive, opportunistic disease (e.g. Pneumocystis carinii pneumonia, Kaposi's sarcoma or esophageal candidiasis), regardless of whether the case is known or thought to have been previously reported in another state or health jurisdiction;~~, and~~

v) For reports submitted by hospitals, the name and telephone number of the individual completing the form, if different from the physician;~~.~~

vi) Whether the individual has had any invasive procedures performed on him or her, and, if so, the types of invasive procedures and the name(s), address(es) and telephone number(s) of the health care provider(s) who performed those invasive procedures; and

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vii) Whether the individual is a health care provider, and, if so, the type of health care provider and whether the individual has performed invasive procedures.

B) For HIV infection in cases not clinically diagnosed or treated as AIDS by the reporting physician:

i) The individual's city of residence, age, race/ethnicity, sex,

ii) The laboratory findings,

iii) Risk factors for HIV infection,

iv) Whether the individual is known to have previously tested positive for antibodies to HIV,

v) Reason for testing, and

vi) Whether counseling and/or sex partner referral has taken place or whether assistance is needed from the Local Health Authority or the Department.

4) Syphilis, gonorrhea and chlamydia case and laboratory reports in cities having a population of 500,000 or over shall be made on a form furnished by the Local Health Authority. In all other cases, the report shall be made on a form furnished by the Department. The report shall state the name, address and telephone number of the physician, the date of the report, as well as the following information, as available:

A) The individual's name, address, telephone number, age, birthdate, race/ethnicity, sex, marital status, pregnancy status,

B) The diagnosis, diagnostic classification, and any laboratory findings,

C) The amount and type of treatment, including preventive treatment, which the individual is receiving, has received or will receive, and whether treatment has been completed, and

D) The type of treatment facility.

b) Every laboratory and blood bank, through its Director, shall report each case in which the laboratory or blood bank performed a test for an STD which concluded with a reportable laboratory result.

1) The STD laboratory report shall be mailed within five (5) days after such test result.

2) If the reporting source is located in a county or city governed by a full-time Local Health Authority, the STD laboratory report shall be made to that health authority. For syphilis, gonorrhea and chlamydia test subjects in jurisdictions not covered by a Local Health Authority but by a Designated Agency, such reports shall be made to that Designated Agency. In all other cases, the STD laboratory report shall be made directly to the Illinois Department of Public Health.

3) For HIV laboratory results, the report shall be made on a form furnished by the Department. The report shall state the name and address of the laboratory or blood bank, the date of the report, as well as the following information, as available:

A) The ~~individual's~~ name, address~~,~~ and telephone number of ~~, age, race/ethnicity, sex, marital status, or patient code number as provided by~~ the physician or other person who submitted the specimen for testing (not applicable to blood banks) ~~by a laboratory~~,

B) The individual's city of residence, age, race/ethnicity, sex ~~The name, address and telephone number of the physician or other person who submitted the specimen for testing (not applicable to blood banks)~~, and

C) The date the test was performed, the laboratory results, and the methods employed.

4) Syphilis, gonorrhea and chlamydia laboratory reports in cities having a population of 500,000 or over shall be made on a form furnished by the Local Health Authority. In all other cases, the report shall be made on a form furnished by the Department. The report shall state the name and address of the laboratory or blood bank, the date of the report, as well as the following information, as available:

A) The individual's name, address, telephone number, age, race/ethnicity, sex, marital status, or patient code number as provided by the physician or other person who submitted the specimen for testing by a laboratory.

B) The name, address and telephone number of the physician or other person who submitted the specimen for testing (not applicable to blood banks), and

C) The date the test was performed, the laboratory results, and the method employed.

5) In addition to the above reporting requirements:

A) If the subject of the test is under eleven (11) years of age, any reactive or positive test results shall be reported to the Department by telephone immediately or as soon as Department business hours permit, at 800/252/8989,

B) If any culture that is positive for gonorrhea is determined to be resistant to antibiotics, the test results shall be reported by telephone immediately, or as soon as business hours permit, to the Local Health Authority, Designated Agency or the Department, as appropriate,

C) Every laboratory and blood bank shall report the total number of tests performed for STDs each week. Such report shall be made to the local health authority, designated agency or the Department, as appropriate.

c) All persons required to report pursuant to this Part shall maintain the strict confidentiality of all information and records relating to known or suspected cases of STDs in accordance with Section 693.100 and 77 Ill. Adm. Code 697.140.

d) For each report of AIDS which it receives, pursuant to the provisions of this Section, a Local Health Authority shall complete the "AIDS Confidential Case Report" (or "Pediatric Confidential Case Report" for children under 13 years) which are forms developed by the Centers for Disease Control ("CDC"), Public Health Service, U.S. Department of Health and Human Services, Atlanta, Georgia 30333, OMB No. 0920-0009. The Local Health Authority shall forward a copy of this CDC report to the Department's AIDS Registry System, within seven (7) days after receiving the original AIDS report (See Section 697.210 of the AIDS Confidentiality and Testing Code (77 Ill. Adm. Code 697)). The "AIDS Confidential Case Report" shall contain the following information, as available:

1) Basic Patient Information: Patient's name, address, telephone number, date of birth, age at diagnosis, current status (date of death), sex, race/ethnicity, county of birth, residence at onset of illness suggestive of AIDS, hospital where diagnosis of AIDS was established;

2) Social and risk factors to AIDS;

3) Information concerning the presence and method of diagnosis of diseases indicative of AIDS;

4) Laboratory results on HIV serum antibody tests, HIV detection tests or diagnosis of other reason(s) for immunological disfunction;

5) Other pertinent information concerning the case including;

A) ~~information on~~ units of blood donated or received by the patient; ~~and~~

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B) whether the individual has had any invasive procedures performed on him or her, and, if so:

i) the types of invasive procedures, and

ii) the name(s), address(es) and telephone number(s) of the health care provider(s) who performed those invasive procedures;

C) whether the individual is a health care provider, and, if so:

i) the type of health care provider,

ii) whether the individual has performed invasive procedures; and

6) Each AIDS related diagnosed successive, opportunistic disease (e.g. Pneumocystis carinii pneumonia, Kaposi's sarcoma or esophageal candidiasis), regardless of whether the case is known or thought to have been previously reported in another state or health jurisdiction.

e) A Local Health Authority shall forward to the Department a copy of each HIV report which it receives pursuant to the provisions of this Section, within seven (7) days after receiving such report.

f) A Local Health Authority or Designated Agency shall submit to the Department, on forms supplied by the Department, summary information on the reportable laboratory results for syphilis, gonorrhea and chlamydia which it receives pursuant to the provisions of this Section, within seven (7) days after receiving such results.

g) A Local Health Authority or Designated Agency which receives a syphilis laboratory report with a patient code number shall contact the test subject's physician for information identifying that individual, within twenty-four (24) hours after receiving such report. The Department shall assume this responsibility within jurisdictions not covered by a Local Health Authority or Designated Agency.

h) A Local Health Authority which receives an HIV laboratory report from a physician, laboratory or blood bank for an individual age three through twenty-one shall contact the physician listed in the report to obtain the individual's name and address, in order to comply with Section 697.400 of the AIDS Confidentiality and Testing Code (77 Ill. Adm. Code 697). The Department shall assume this responsibility within jurisdictions not covered by a Local Health Authority. The physician shall provide this information to the Local Health Authority or the Department unless the test subject is not enrolled in a public or private primary or secondary school. The physician shall contact the Local Health Authority or the Department if the physician learns that the test subject has enrolled in school at any subsequent date.

(Source: Emergency amendment at 15 Ill. Reg. 16462, effective October 28, 1991, for a

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maximum of 150 days)

Section 693.40 Contact Interview and Investigation
EMERGENCY

a) A Local Health Authority, Designated Agency or the Department, where applicable, shall initiate the contact interview and investigation process under any ~~either~~ of the following circumstances:

1) Upon receipt of an STD report from a physician, ~~or~~

2) When the Local Health Authority, Designated Agency or the Department knows or has reason to know, based on medical or epidemiologic information, that a person within its jurisdiction may be infected with or have been exposed to an STD or HIV, or~~.~~

3) For reports of health care providers with AIDS received by the Department prior to October 4, 1991, the Department shall interview and investigate such cases in priority order established by the Department, and provide appropriate contact notification, in accordance with the provisions of Section 693.40 (b)(3)(B) (i) through (ix) of this Part. The Department shall interview the health care provider or the provider's estate. Coworkers, family members or others may be interviewed if necessary to determine the risk of transmission or to identify contacts.

b) For cases of AIDS or HIV infection, the contact interview and investigation process shall include the following:

1) Contact interview and investigation services shall be provided only by counselors who have completed a course of training which included instruction in the following:

A) The etiology and transmission of HIV, including associated risk behavior and activities, and patient profiles of persons at significant risk of HIV infection;

B) The natural history and progression of HIV infection;

C) Methods for preventing transmission of HIV infection;

D) Principles and techniques of counseling, including demonstration of interviewing and counseling skills needed for epidemiologic management of HIV infected persons, and critiqued role playing, psychologic assessment and crisis intervention;

E) Principles and techniques of contact investigation and referral; and

F) Principles of communicable diseases.

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2) For the interview and investigation process concerning sex and needle sharing contacts:

A) All cases of AIDS or HIV infection identified to health authorities shall be offered the assistance of health professionals in locating and referring sex and needle sharing contacts for counseling and testing, with the consent of the infected person. All persons refusing such assistance shall be strongly encouraged to notify their previous sex and needle sharing contacts of their possible exposure to HIV, and to refer such contacts for counseling and testing.

B3) Cases of AIDS or HIV infection shall be asked to identify their sex and needle-sharing contacts for the preceding twelve month period. The counselor shall discuss the specific nature of each contact with the client to determine the likelihood of HIV transmission based on the type of sexual or needle-sharing practice involved and the counselor's knowledge of risk factors.

C4) Those contacts determined to be at significant risk of infection, in the professional judgment of the counselor, based on the type of sexual or needle-sharing practice involved and the counselor's knowledge of risk factors, shall be investigated. Investigation shall be conducted on contacts for whom sufficient information to identify the person is available, such as first and last name, street address or telephone number.

D5) The counselor may prioritize the order in which contacts are to be investigated. The counselor shall provide first priority to those contacts who (based again on the counselor's professional judgment), except for contact notification, may not have reason to suspect they may be infected because the counselor has no information that the contacts:

i~~A~~) are aware of having engaged in behavior likely to result in exposure and/or;

ii~~B~~) are knowledgeable about the types of behavior carrying such risks.

E6) Persons choosing to self-refer their contacts shall receive intensive individualized instruction and counseling in methods to provide this notification and referral.

F~~7~~) Contacts to persons with HIV infection, identified through the contact interview and investigative process, shall be counseled, confidentially and in person, regarding the possibility of infection, methods to prevent the spread of the infection, and services available from public health agencies. Such

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persons shall also be offered testing to determine infection status.

G~~8~~) If such person is legally unable to agree to counseling due to age or legal incompetence, consent and participation in counseling shall be requested of the individual's parent or legal guardian. If such person is legally able to agree to, but appears to be incapable of understanding and competently acting on such counseling, in the professional judgment of the counselor, participation in counseling shall be requested of a parent or other person chosen by the client.

H9) All records regarding contacts to cases of AIDS or HIV infection, and all information collected in investigations of contacts to HIV infection shall be maintained until the Local Health Authority, Designated Agency or the Department is able to document that counseling has been provided to the contact or document that all attempts to locate the contact have been unsuccessful. In no case shall such records be maintained for a period to exceed six months. Such records shall be confidential and shall at all times be maintained in the same manner as those maintained for reported cases of AIDS. After six months, such records shall be destroyed completely by shredding or another form of obliteration. (See Section 693.100(c) and 77 Ill. Adm. Code 697.140).

3) For the interview and investigation process concerning health care contacts:

A) Patients

i) All cases in which the individual has had invasive procedures performed on him or her shall be provided an explanation of the potential risks of HIV transmission to health care providers during the performance of invasive procedures, and the legal requirements for notification of the health care providers who have performed invasive procedures on that individual;

ii) The individual shall be asked to identify the specific invasive procedures which had been performed on him or her along with the name of the facility or location at which the procedure was performed, and the name, address and telephone number of the health care provider who performed the procedure;

iii) The individual shall be offered the opportunity to self-notify those health care providers within 45 days, in accordance with the notification procedures described in Section 693.45 of this Part. If the individual declines the opportunity to self-notify his or her health care providers, or fails to do so in accordance with the requirements of this

Part, the case shall be referred to the Department for notification of contacts;

B) Health Care Providers

i) All cases in which the individual is a health care provider or has worked as a health care provider shall be interviewed to determine whether the type of health care practiced by the individual involves the performance of invasive procedures, and whether the individual has or is likely to have performed invasive procedures;

ii) If the individual's type of health care practice involves the performance of invasive procedures but the individual has not or is not likely to have performed invasive procedures, he or she shall be provided with written information concerning the use of universal precautions and the recommendations of the Centers for Disease Control concerning the prevention of HIV transmission in the health care setting. The individual shall also be advised to refrain from performing exposure-prone invasive procedures, except in accordance with the recommendations of an expert review panel which has been convened pursuant to the Centers for Disease Control's "Recommendations for Preventing Transmission of HIV and Hepatitis B Virus to Patients During Exposure-Prone Invasive Procedures" (see Section 693.15 (c)(5) of this Part);

iii) If the individual has or is likely to have performed invasive procedures the Local Health Authority shall refer the case to the Department for risk assessment and follow-up;

iv) The Department shall interview the health care provider or the provider's estate to complete the investigation and assess the potential risk of HIV transmission from the provider to his or her patients, based on the provider's practice and the types and frequencies of invasive procedures performed. Others may be interviewed as necessary to complete the investigation and assess the potential risk of HIV transmission from the provider to his or her patients;

v) The Department shall provide the health care provider with an explanation of the potential risks of HIV transmission to patients during the performance of invasive procedures, and the legal requirements for notification of patients whom the Department determines may have been at risk of HIV transmission from the health care provider;

vi) If the invasive procedures performed by the health care provider were not exposure-prone invasive procedures, and no other potential risk of transmission was identified by the Department, he or she shall be provided with information concerning the use of universal precautions and the recommendations of the Centers for Disease Control concerning the prevention of HIV transmission in the health care setting. The health care provider shall also be advised to refrain from any future performance of exposure-prone invasive procedures, except in accordance with the recommendations of an expert review panel convened pursuant to the Centers for Disease Control's "Recommendations for Preventing Transmission of HIV and Hepatitis B Virus to Patients During Exposure-Prone Invasive Procedures" (see Section 693.15 (c)(5) of this Part);

vii) If any of the invasive procedures performed by the health care provider were exposure-prone invasive procedures, or the Department identifies any other potential risk of transmission to patients, the Department shall advise the health care provider that such patients must be notified of their potential risk of exposure to HIV. The health care provider shall be given the opportunity to submit any information and comments to the Department concerning such notification, and shall be offered the opportunity to self-notify his or her patients within 45 days, in accordance with the notification procedures described in Section 693.45 of this Part;

viii) If the health care provider declines the opportunity to self-notify his or her patients, or fails to do so in accordance with the requirements of this Part, he or she shall provide the Department with complete and immediate access to any records which identify or may lead to the identification of his or her patients and the actual health care which was rendered. The Department shall review BUT SHALL NOT COPY OR SEIZE the provider's records. The Department shall identify and notify all patients who received exposure-prone invasive procedures or have otherwise been determined by the Department to have been at risk for HIV transmission;

ix) The health care provider shall also be advised to discontinue performance of exposure-prone invasive procedures except in accordance with the recommendations of an expert review panel convened pursuant to the Centers for Disease Control's "Recommendations for Preventing Transmission of HIV and Hepatitis B Virus to Patients During Exposure-Prone Invasive Procedures" (see Section 693.15 (c)(5) of this Part).

c) For cases of syphilis, gonorrhea or chlamydia, the contact interview and investigation

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process shall include the following:

1) Contact interview and investigation services shall be provided only by counselors who have completed a course of training which included instruction in the following:

   A) The etiology and transmission of STDs,

   B) The natural history and progression of STD infection,

   C) High or increased risk behavior and activities, including patient profiles of persons at significant risk for acquiring STDs,

   D) Methods for preventing and treating STD infection,

   E) Principles and techniques of counseling, including demonstration of interviewing and counseling skills needed for epidemiologic management of STD patients, and critiqued role playing, and

   F) Principles and techniques of contact investigation and referral.

2) All persons diagnosed with early syphilis or antibiotic-resistant gonorrhea or any person treated for gonorrhea at a clinic of the Local Health Department shall be interviewed by the Local Heath Authority, Designated Agency or the Department, where applicable. "Early syphilis" means primary, secondary or early latent syphilis of less than one year's duration.

3) All persons diagnosed with chlamydia and persons diagnosed with gonorrhea in the private medical sector shall be interviewed as resources permit and within the discretion of the Local Health Authority, Designated Agency or Department, where applicable.

4) All cases interviewed shall be asked to provide the names and any available identifying information on their sex contacts. Persons refusing to name their sex contacts shall be strongly encouraged to self-refer such contacts for testing and treatment, if necessary.

5) Those contacts determined by the counselor to be at significant risk of infection, based on high or increased risk behavior and activities, shall be investigated.

6) Interviewing and counseling of STD cases and contacts shall be conducted in person, in a private manner, and shall be documented on epidemiologic records furnished by the Department.

7) Counselors shall follow the guidelines and standards described in Section 615.360(s) through (cc) of the Local Health Departments Program Standards Code (77 Ill. Adm. Code 615).

8) All records regarding cases of STDs, contacts to cases of STDs and all information collected in investigations and interviews pursuant to this Section shall be confidential, and shall at all times be maintained in the same manner as those maintained for reported cases of STDs.

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(Source: Emergency amendment at 15 Ill. Reg. 16462, effective October 28, 1991, for a maximum of 150 days)

Section 693.45 Notification of Health Care Contacts
EMERGENCY

a) The Department shall develop a form letter, which shall be used by the Department to notify health care contacts pursuant to Sections 693.40 of this Part, and which shall be offered to individuals choosing to self-notify their health care contacts. The letter shall include a list of facilities where HIV counseling and testing is available, a copy of Public Act 87-763, information about HIV transmission and the HIV antibody test, and shall recommend that the recipient contact his or her personal physician or one of the counseling and testing facilities listed;

   1) For contacts who are patients, the letter shall identify the type of health care provider with whom the recipient had contact, without naming the specific health care provider;

   2) For contacts who are health care providers the letter shall state that the recipient is believed to have performed an invasive procedure on a patient who has been reported to the Department as a case with AIDS, without naming the patient;

   3) The letter shall also advise the recipient as to applicable confidentiality requirements;

b) Notification by the Department shall be made by first-class mail, with the envelope marked "confidential". Case subjects or their representatives choosing to self-notify shall be encouraged to utilize the same method and may use the Department's return address instead of their own;

c) Within 10 days after completing self-notification, the case subject or his or her representative shall submit a written, signed statement to the local health authority or the Department, whichever is applicable, describing the dates and methods of notification, the number of contacts notified, and a copy of the notification letter, if different from the Department-generated form. Self-notification shall be completed within 45 days after the date on which the individual was advised by the Department or the Local Health Authority that notification was necessary.

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(Source: Emergency rule added at 15 Ill. Reg. 16462, effective October 28, 1991, for a maximum of 150 days)

Section 693.100 Confidentiality
EMERGENCY

a) ALL INFORMATION AND RECORDS HELD BY THE DEPARTMENT AND ITS AUTHORIZED REPRESENTATIVES RELATING TO KNOWN OR SUSPECTED CASES OF SEXUALLY TRANSMISSIBLE DISEASES SHALL BE STRICTLY CONFIDENTIAL AND EXEMPT FROM INSPECTION AND COPYING UNDER THE FREEDOM OF INFORMATION ACT (Ill. Rev. Stat. 1989~~7~~, ch. 116, par. 207, as amended by Section 11 of the Act). (Section 8 (a) of the Act.)

b) SUCH INFORMATION SHALL NOT BE RELEASED OR MADE PUBLIC BY THE DEPARTMENT OR ITS AUTHORIZED REPRESENTATIVES, BY A COURT OR PARTIES TO A LAWSUIT UPON REVELATION BY SUBPOENA OR BY A COURT CONDUCTING PROCEEDINGS AUTHORIZED BY SUBSECTION (c) OF SECTION 6 OF THE ACT, EXCEPT THAT RELEASE OF SUCH INFORMATION MAY BE MADE UNDER THE FOLLOWING CIRCUMSTANCES:

1) WHEN MADE WITH THE CONSENT OF ALL PERSONS TO WHICH THE INFORMATION APPLIES (Section 8 (a) (1) of the Act),

2) WHEN MADE FOR STATISTICAL PURPOSES AND MEDICAL OR EPIDEMIOLOGIC INFORMATION IS SUMMARIZED SO THAT NO PERSON CAN BE IDENTIFIED AND NO NAMES ARE REVEALED (Section 8 (a) (2) of the Act),

3) WHEN MADE TO MEDICAL PERSONNEL, APPROPRIATE STATE AGENCIES, such as the Department of Children and Family Services, OR COURTS OF APPROPRIATE JURISDICTION TO ENFORCE THE PROVISIONS OF THE ACT AND THIS PART (Section 8 (a)(3) of the Act),

4) WHEN MADE TO PERSONS DETERMINED BY THE DEPARTMENT TO BE OR HAVE BEEN AT POTENTIAL RISK OF HIV TRANSMISSION PURSUANT TO SECTION 5.5 OF THE ACT. (Section 8(a)(4) of the Act),

5~~4~~) When authorized by the AIDS Registry System regulations (See 77 Ill. Adm. Code 697.210),

6~~5~~) When authorized by the AIDS Confidentiality Act (See 77 Ill. Adm. Code 697.140),

7~~6~~) When made to a school principal pursuant to Section 697.400 of the AIDS

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Confidentiality and Testing Code (See 77 Ill. Adm. Code 697.400),

8~~7~~) WHEN DISCLOSURE IS MADE PURSUANT TO A SUBPOENA, SUCH INFORMATION SHALL BE SEALED BY THE COURT FROM FURTHER EXAMINATION, EXCEPT AS DEEMED NECESSARY BY THE COURT TO REACH A DECISION, UNLESS OTHERWISE AGREED TO BY ALL PARTIES (Section 8 (b) of the Act.)

c) A COURT HEARING A REQUEST FOR THE ISSUANCE OF A WARRANT AS AUTHORIZED IN SUBSECTION (c) OF SECTION 6 OF THE ACT SHALL CONDUCT SUCH PROCEEDINGS IN CAMERA. A RECORD SHALL BE MADE OF AUTHORIZED PROCEEDINGS BUT SHALL BE SEALED, IMPOUNDED AND PRESERVED IN THE RECORDS OF THE COURT, TO BE MADE AVAILABLE TO THE REVIEWING COURT IN THE EVENT OF AN APPEAL. (Section 8 (c) of the Act.)

d) NO EMPLOYEE OF THE DEPARTMENT OR ITS AUTHORIZED REPRESENTATIVES SHALL BE EXAMINED IN A CIVIL, CRIMINAL, SPECIAL OR OTHER PROCEEDING CONCERNING THE EXISTENCE OR CONTENTS OF PERTINENT RECORDS OF A PERSON EXAMINED OR TREATED FOR A SEXUALLY TRANSMISSIBLE DISEASE BY THE DEPARTMENT OR ITS AUTHORIZED REPRESENTATIVE PURSUANT TO THE PROVISIONS OF THE ACT, OR CONCERNING THE EXISTENCE OR CONTENTS OF SUCH REPORTS RECEIVED FROM A PRIVATE PHYSICIAN OR PRIVATE HEALTH CARE FACILITY, PURSUANT TO THE PROVISIONS OF THE ACT, WITHOUT THE CONSENT OF THE PERSON EXAMINED AND TREATED FOR SUCH A DISEASE, EXCEPT IN PROCEEDINGS UNDER SECTIONS 6 AND 7 OF THE ACT. (Section 8 (d) of the Act.)

e) ALL INFORMATION AND RECORDS HELD BY THE DEPARTMENT AND LOCAL HEALTH AUTHORITIES PERTAINING TO health care contact risk assessment and notification activities SHALL BE STRICTLY CONFIDENTIAL AND EXEMPT FROM COPYING AND INSPECTION UNDER THE FREEDOM OF INFORMATION ACT. SUCH INFORMATION AND RECORDS SHALL NOT BE RELEASED OR MADE PUBLIC BY THE DEPARTMENT OR LOCAL HEALTH AUTHORITIES, AND SHALL NOT BE ADMISSIBLE AS EVIDENCE, NOR DISCOVERABLE IN ANY ACTION OF ANY KIND IN ANY COURT OR BEFORE ANY TRIBUNAL, BOARD, AGENCY OR PERSON AND SHALL BE TREATED IN THE SAME MANNER AS THE INFORMATION AND THOSE RECORDS SUBJECT TO THE PROVISIONS OF PART 21 OF THE CODE OF CIVIL PROCEDURE EXCEPT UNDER THE FOLLOWING CIRCUMSTANCES:

1) WHEN MADE WITH THE WRITTEN CONSENT OF ALL PERSONS TO WHOM THIS INFORMATION PERTAINS;

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2) WHEN AUTHORIZED UNDER SECTION 8 TO BE RELEASED UNDER COURT ORDER OR SUBPOENA PURSUANT TO SECTION 12-16.2 OF THE CRIMINAL CODE OF 1961; OR

3) WHEN MADE BY THE DEPARTMENT FOR THE PURPOSE OF SEEKING A WARRANT AUTHORIZED BY SECTIONS 6 AND 7 OF the ACT. SUCH DISCLOSURE SHALL CONFORM TO THE REQUIREMENTS OF SUBSECTION (a) OF SECTION 8 OF the ACT.

f) ANY PERSON WHO KNOWINGLY OR MALICIOUSLY DISSEMINATES ANY INFORMATION OR REPORT CONCERNING THE EXISTENCE OF ANY DISEASE UNDER Section 5.5 of the Act IS GUILTY OF A CLASS A MISDEMEANOR. (Section 5.5 (d) of the Act)

(Source: Emergency amendment at 15 Ill. Reg. 16462, effective October 28, 1991, for a maximum of 150 days)

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1) Heading of the Part:

The Illinois Formulary for the Drug Product Selection Program

2) Code Citation: 77 Ill. Adm. Code 790

3)

Section Numbers:	Emergency Action:
790.40	Amendment
790.600	Amendment
790.799	Amendment
790.920	Amendment
790.1350	New Section
790.1388	New Section
790.1950	Amendment
790.2485	Amendment
790.2580	Amendment
790.2603	Amendment
790.2613	Amendment
790.2805	Amendment
790.3027	Amendment
790.3910	Amendment
790.4040	Amendment
790.5180	Amendment
790.5312	Amendment
790.5320	Amendment
790.5380	Amendment
790.5640	Amendment
790.6370	Amendment
790.7828	Amendment
790.8580	Amendment
790.9048	Amendment
790.9050	Amendment
790.9100	Amendment

4) Statutory Authority:

Implementing and authorized by Section 3.14 of the Illinois Food, Drug and Cosmetic Act (Ill. Rev. Stat. 1989, ch. 56 1/2, par. 503.14) and Section 25 of the Pharmacy Practice Act (Ill. Rev. Stat. 1989, ch. 111, par. 4145).

5) Effective Date of Amendments: October 25, 1991

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6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable.

7) Date Filed in Agency's Principal Office: October 15, 1991

8) Reason for Emergency:

The Illinois Food, Drug and Cosmetic Act (ch. 56 1/2, par. 503.14) and the Administrative Procedure Act (ch. 127, par. 1005.02), as amended by Public Act 85-451, specifically authorize the Department to implement this rulemaking pursuant to emergency rulemaking.

9) A Complete Description of the Subjects and Issues Involved:

Through this emergency rulemaking, the Illinois Department of Public Health amends various sections of the Illinois Formulary for the Drug Product Selection Program. Several new generic entities have also been concurrently included. These changes have been recommended by the Technical Advisory Council for the Drug Product Selection Program and have been published in the Twelfth Edition, Second Supplement of the Illinois Formulary.

This rulemaking will allow consumers and third party fiscal intermediaries (including the Department of Public Aid) to save money when purchasing or reimbursing prescription drug products. Drug purchases made by the Department of Corrections and the Department of Mental Health and Developmental Disabilities may also experience some savings. Pharmacies may have increased sales of generic drug products as approved in the Illinois Formulary.

10) Are there any other Proposed Amendments Pending on this Part? Yes.

Section Numbers	Proposed Action	Ill. Reg. Citation
790.600	Amendment	15 Ill. Reg. 11070
790.740	Amendment	15 Ill. Reg. 11070
790.910	Amendment	15 Ill. Reg. 11070
790.1127	Amendment	15 Ill. Reg. 11070
790.1350	New Section	15 Ill. Reg. 11070
790.1560	Amendment	15 Ill. Reg. 11070
790.1573	New Section	15 Ill. Reg. 11070
790.1870	New Section	15 Ill. Reg. 11070
790.1930	Amendment	15 Ill. Reg. 11070
790.2060	Amendment	15 Ill. Reg. 11070
790.2180	Amendment	15 Ill. Reg. 11070
790.2618	Amendment	15 Ill. Reg. 11070
790.2655	Amendment	15 Ill. Reg. 11070

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790.2661	Amendment	15 Ill. Reg. 11070
790.2662	Amendment	15 Ill. Reg. 11070
790.2740	Amendment	15 Ill. Reg. 11070
790.2820	Amendment	15 Ill. Reg. 11070
790.2908	Repealer	15 Ill. Reg. 11070
790.3020	Amendment	15 Ill. Reg. 11070
790.3027	Amendment	15 Ill. Reg. 11070
790.3220	Amendment	15 Ill. Reg. 11070
790.3308	New Section	15 Ill. Reg. 11070
790.3340	Amendment	15 Ill. Reg. 11070
790.3420	Amendment	15 Ill. Reg. 11070
790.3540	Amendment	15 Ill. Reg. 11070
790.3620	Amendment	15 Ill. Reg. 11070
790.3720	Amendment	15 Ill. Reg. 11070
790.3907	Amendment	15 Ill. Reg. 11070
790.3910	Amendment	15 Ill. Reg. 11070
790.3945	Amendment	15 Ill. Reg. 11070
790.4140	Amendment	15 Ill. Reg. 11070
790.4385	New Section	15 Ill. Reg. 11070
790.4667	Amendment	15 Ill. Reg. 11070
790.4725	Amendment	15 Ill. Reg. 11070
790.4740	Amendment	15 Ill. Reg. 11070
790.4940	Amendment	15 Ill. Reg. 11070
790.5320	Amendment	15 Ill. Reg. 11070
790.5540	Amendment	15 Ill. Reg. 11070
790.5740	Amendment	15 Ill. Reg. 11070
790.5792	Amendment	15 Ill. Reg. 11070
790.5830	Amendment	15 Ill. Reg. 11070
790.5840	Amendment	15 Ill. Reg. 11070
790.5940	Amendment	15 Ill. Reg. 11070
790.6020	Amendment	15 Ill. Reg. 11070
790.6180	Amendment	15 Ill. Reg. 11070
790.6430	Amendment	15 Ill. Reg. 11070
790.6435	Amendment	15 Ill. Reg. 11070
790.6500	Amendment	15 Ill. Reg. 11070
790.6610	Amendment	15 Ill. Reg. 11070
790.6875	Amendment	15 Ill. Reg. 11070
790.7245	New Section	15 Ill. Reg. 11070
790.7278	Amendment	15 Ill. Reg. 11070
790.7280	Amendment	15 Ill. Reg. 11070
790.7294	Repealer	15 Ill. Reg. 11070
790.7340	Amendment	15 Ill. Reg. 11070
790.7380	Amendment	15 Ill. Reg. 11070
790.7828	Amendment	15 Ill. Reg. 11070
790.8106	Amendment	15 Ill. Reg. 11070
790.8140	Amendment	15 Ill. Reg. 11070
790.8420	Amendment	15 Ill. Reg. 11070

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790.8710	Amendment	15 Ill. Reg. 11070
790.9048	Amendment	15 Ill. Reg. 11070
790.9056	Amendment	15 Ill. Reg. 11070
790.9084	Amendment	15 Ill. Reg. 11070
790.9320	Repealer	15 Ill. Reg. 11070
790.9460	Amendment	15 Ill. Reg. 11070

There is still an emergency in effect on Sections 790.600, 790.1350, 790.3027, 790.3910, 790.5320, 790.7828 and 790.9048 which are not affected by this set of emergency amendments. The emergency amendments appear at 15 Ill. Reg. 11194, effective July 19, 1991, for a maximum of 150 days. The copies filed in the Administrative Code Unit reflect both emergency rules.

11) Statement of Statewide Policy Objectives:

This rulemaking neither creates nor expands a State mandate.

12) Information and questions regarding this amendment shall be directed to:

Interested persons may present their comments concerning these rules by writing to Ms. Gail DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor Springfield, Illinois 62761.

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS

PART 790
THE ILLINOIS FORMULARY FOR THE DRUG PRODUCT SELECTION PROGRAM

SUBPART A: GENERAL PROVISIONS

SECTION	
790.20	Introduction
790.40	Consideration of Drug Products for Inclusion
EMERGENCY	in the Illinois Formulary
790.60	Additional Criteria
790.80	Quality Listing
790.100	Generic Drug Entity Headings
790.120	Comments and Specific Administration
790.140	Requests for Additional Copies
790.160	Prescription Use of Drug Products
790.180	FDA Drug Product Approval and Recommendation
790.200	Availability of Drug Products; Pharmaceutical Equivalence
790.220	Single Source Drug Products Exclusion
790.240	Criteria for Exclusion of Drug Products
790.260	Inclusion of Controlled Substances
790.280	Equivalence of Products Requirements
790.300	Selection of Equivalent Drug Products
790.320	Transfer of Prescription Records

SUBPART B: APPROVED DRUG PRODUCTS FOR DRUG PRODUCT SELECTION

SECTION	
790.420	ACETAMINOPHEN; BUTALBITAL
790.460	ACETAMINOPHEN; BUTALBITAL; CAFFEINE
790.480	ACETAMINOPHEN; CAFFEINE; DIHYDROCODEINE BITARTRATE
790.500	ACETAMINOPHEN; CODEINE PHOSPHATE
790.540	ACETAMINOPHEN; HYDROCODONE BITARTRATE
790.548	ACETAMINOPHEN; OXYCODONE HYDROCHLORIDE
790.580	ACETAMINOPHEN; PROPOXYPHENE HYDROCHLORIDE
790.600	ACETAMINOPHEN; PROPOXYPHENE NAPSYLATE
EMERGENCY	
790.620	ACETAZOLAMIDE
790.630	ACETAZOLAMIDE SODIUM
790.660	ACETIC ACID, GLACIAL

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790.700 ACETIC ACID, GLACIAL; HYDROCORTISONE
790.706 ACETOHEXAMIDE
790.721 ACETYLCYSTEINE
790.740 ALBUTEROL SULFATE
EMERGENCY
790.756 ALCOHOL; DEXTROSE
790.780 ALLOPURINOL
790.788 AMANTADINE HYDROCHLORIDE
790.798 AMILORIDE HYDROCHLORIDE
790.799 AMILORIDE HYDROCHLORIDE; HYDROCHLOROTHIAZIDE
EMERGENCY
790.815 AMINOACETIC ACID (Repealed)
790.820 AMINOCAPROIC ACID
790.830 AMINOHIPPURATE SODIUM
790.860 AMINOPHYLLINE
790.900 AMITRIPTYLINE HYDROCHLORIDE
790.905 AMITRIPTYLINE HYDROCHLORIDE; CHLORDIAZEPOXIDE
790.910 AMITRIPTYLINE HYDROCHLORIDE; PERPHENAZINE
EMERGENCY
790.920 AMOXAPINE
EMERGENCY
790.940 AMOXICILLIN TRIHYDRATE
790.974 AMPHOTERICIN B
790.980 AMPICILLIN SODIUM
790.1020 AMPICILLIN; PROBENECID
790.1060 AMPICILLIN/AMPICILLIN TRIHYDRATE
790.1100 ANISOTROPINE METHYLBROMIDE (Repealed)
790.1107 ANTAZOLINE PHOSPHATE; NAPHAZOLINE HYDROCHLORIDE
790.1112 ANTIPYRINE; BENZOCAINE
790.1120 ASCORBIC ACID; BIOTIN; CYANOCOBALAMIN; DEXPANTHENOL; ERGOCALCIFEROL; FOLIC ACID; NIACINAMIDE; PYRIDOXINE HYDROCHLORIDE; RIBOFLAVIN PHOSPHATE SODIUM; THIAMINE HYDROCHLORIDE; VITAMIN A; VITAMIN E
790.1125 ASCORBIC ACID; CYANOCOBALAMIN; FLUORIDE; IRON; NICOTINIC ACID; PYRIDOXINE HYDROCHLORIDE; RIBOFLAVIN; THIAMINE HYDROCHLORIDE; VITAMIN A; VITAMIN D; VITAMIN E
790.1127 ASCORBIC ACID; CYANOCOBALAMIN; FLUORIDE; NICOTINIC ACID;
EMERGENCY PYRIDOXINE HYDROCHLORIDE; RIBOFLAVIN; THIAMINE HYDROCHLORIDE; VITAMIN A; VITAMIN D; VITAMIN E
790.1129 ASCORBIC ACID; FLUORIDE; IRON; VITAMIN A; VITAMIN D
790.1131 ASCORBIC ACID; FLUORIDE; VITAMIN A; VITAMIN D
790.1140 ASPIRIN; BUTALBITAL; CAFFEINE
790.1180 ASPIRIN; BUTALBITAL; CAFFEINE; PHENACETIN (Repealed)
790.1200 ASPIRIN; CAFFEINE; ORPHENADRINE CITRATE (Repealed)
790.1220 ASPIRIN; CAFFEINE; PHENACETIN; PROPOXYPHENE HYDROCHLORIDE (Repealed)

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790.1260 ASPIRIN; CAFFEINE; PHENACETIN; PROPOXYPHENE HYDROCHLORIDE (Repealed)
790.1300 ASPIRIN; CAFFEINE; PROPOXYPHENE HYDROCHLORIDE
790.1345 ASPIRIN; CARISOPRODOL
790.1350 ASPIRIN; CODEINE PHOSPHATE
EMERGENCY
790.1360 ASPIRIN; MEPROBAMATE
790.1380 ASPIRIN; METHOCARBAMOL
790.1386 ASPIRIN; OXYCODONE HYDROCHLORIDE; OXYCODONE TEREPHTHALATE
790.1388 ATENOLOL
EMERGENCY
790.1390 ATENOLOL; CHLORTHALIDONE
790.1418 ATROPINE SULFATE
790.1420 ATROPINE SULFATE; DIPHENOXYLATE HYDROCHLORIDE
790.1423 ATROPINE SULFATE; HYOSCYAMINE; PHENOBARBITAL; SCOPOLAMINE HYDROBROMIDE
790.1425 ATROPINE SULFATE; MEPERIDINE HYDROCHLORIDE
790.1440 AZATHIOPRINE SODIUM
790.1460 BACITRACIN
790.1490 BACITRACIN ZINC; HYDROCORTISONE; NEOMYCIN SULFATE; POLYMYXIN B SULFATE
790.1500 BACITRACIN ZINC; NEOMYCIN SULFATE; POLYMYXIN B SULFATE
790.1540 BACITRACIN ZINC; POLYMYXIN B SULFATE
790.1560 BACLOFEN
EMERGENCY
790.1570 BENZTROPINE MESYLATE
790.1573 BEPRIDIL HYDROCHLORIDE
EMERGENCY
790.1577 BETAMETHASONE DIPROPIONATE
790.1580 BETAMETHASONE SODIUM PHOSPHATE
790.1620 BETAMETHASONE VALERATE
790.1660 BETHANECHOL CHLORIDE
790.1685 BRETYLIUM TOSYLATE
790.1686 BRETYLIUM TOSYLATE; DEXTROSE
790.1697 BROMODIPHENHYDRAMINE HYDROCHLORIDE; CODEINE PHOSPHATE
790.1700 BROMPHENIRAMINE MALEATE
790.1706 BROMPHENIRAMINE MALEATE; CODEINE PHOSPHATE; PHENYLPROPANOLAMINE HYDROCHLORIDE
790.1708 BROMPHENIRAMINE MALEATE; DEXTROMETHORPHAN HYDROBROMIDE; PSEUDOEPHEDRINE HYDROCHLORIDE
790.1710 BROMPHENIRAMINE MALEATE; PHENYLPROPANOLAMINE HYDROCHLORIDE
790.1719 BUPIVACAINE HYDROCHLORIDE
790.1721 BUPIVACAINE HYDROCHLORIDE; EPINEPHRINE BITARTRATE
790.1740 BUTABARBITAL SODIUM
790.1780 CAFFEINE; CARISOPRODOL; PHENACETIN (Repealed)
790.1820 CAFFEINE; ERGOTAMINE TARTRATE

790.1842 CALCIUM CHLORIDE; DEXTROSE; MAGNESIUM CHLORIDE; SODIUM CHLORIDE; SODIUM LACTATE
790.1846 CALCIUM CHLORIDE; DEXTROSE; POTASSIUM CHLORIDE; SODIUM CHLORIDE
790.1848 CALCIUM CHLORIDE; DEXTROSE; POTASSIUM CHLORIDE; SODIUM CHLORIDE; SODIUM LACTATE
790.1856 CALCIUM CHLORIDE; POTASSIUM CHLORIDE; SODIUM CHLORIDE
790.1858 CALCIUM CHLORIDE; POTASSIUM CHLORIDE; SODIUM CHLORIDE; SODIUM LACTATE
790.1860 CALCIUM GLUCEPTATE
790.1870 CALCIUM GLUCONATE
EMERGENCY
790.1900 CANDICIDIN (Repealed)
790.1930 CARBAMAZEPINE
EMERGENCY
790.1940 CARBENICILLIN DISODIUM
790.1950 CARBINOXAMINE MALEATE; DEXTROMETHORPHAN HYDROBROMIDE;
EMERGENCY PSEUDOEPHEDRINE HYDROCHLORIDE
~~790.1960~~ CARBINOXAMINE MALEATE; PSEUDOEPHEDRINE HYDROCHLORIDE
790.1980 CARISOPRODOL
790.2020 CEFADROXIL MONOHYDRATE
790.2060 CEFAZOLIN SODIUM
EMERGENCY
790.2084 CEFTAZIDIME
790.2092 CEFUROXIME SODIUM
790.2097 CEPHALEXIN
790.2100 CEPHALOTHIN SODIUM
790.2130 CEPHAPIRIN SODIUM
790.2140 CEPHRADINE/CEPHRADINE DIHYDRATE
790.2155 CHLORAL HYDRATE
790.2180 CHLORAMPHENICOL
EMERGENCY
790.2220 CHLORAMPHENICOL SODIUM SUCCINATE
790.2260 CHLORDIAZEPOXIDE HYDROCHLORIDE
790.2300 CHLORMEZANONE (Repealed)
790.2340 CHLOROQUINE PHOSPHATE
790.2380 CHLOROTHIAZIDE
790.2390 CHLOROTHIAZIDE; METHYLDOPA
790.2420 CHLOROTRIANISENE
790.2460 CHLORPHENIRAMINE MALEATE
790.2462 CHLORPHENIRAMINE MALEATE; CODEINE PHOSPHATE; PSEUDOEPHEDRINE HYDROCHLORIDE
790.2465 CHLORPHENIRAMINE MALEATE; PHENYLEPHRINE HYDROCHLORIDE; PHENYLPROPANOLAMINE HYDROCHLORIDE; PHENYLTOLOXAMINE CITRATE
790.2470 CHLORPHENIRAMINE MALEATE; PHENYLPROPANOLAMINE HYDROCHLORIDE
790.2485 CHLORPHENIRAMINE TANNATE; PHENYLEPHRINE TANNATE; PYRILAMINE
EMERGENCY TANNATE
~~790.2500~~ CHLORPROMAZINE HYDROCHLORIDE

790.2510 CHLORPROPAMIDE
790.2540 CHLORTHALIDONE
790.2555 CHLORTHALIDONE; CLONIDINE HYDROCHLORIDE
790.2580 CHLORZOXAZONE
EMERGENCY
~~790.2583~~ CHROMIC CHLORIDE
790.2595 CITRIC ACID; MAGNESIUM OXIDE; SODIUM CARBONATE
790.2603 CLINDAMYCIN HYDROCHLORIDE
EMERGENCY
~~790.2605~~ CLINDAMYCIN PHOSPHATE
790.2613 CLOFIBRATE
EMERGENCY
~~790.2614~~ CLOMIPHENE CITRATE
790.2617 CLONIDINE HYDROCHLORIDE
790.2618 CLORAZEPATE DIPOTASSIUM
EMERGENCY
790.2620 CLOTRIMAZOLE
790.2645 CLOXACILLIN SODIUM MONOHYDRATE
790.2655 CODEINE PHOSPHATE; GUAIFENESIN
EMERGENCY
790.2660 CLOXACILLIN SODIUM MONOHYDRATE (Repealed)
790.2661 CODEINE PHOSPHATE; GUAIFENESIN; PSEUDOEPHEDRINE HYDROCHLORIDE
EMERGENCY
790.2662 CODEINE PHOSPHATE; IODINATED GLYCEROL
EMERGENCY
790.2663 CODEINE PHOSPHATE; PHENYLEPHRINE HYDROCHLORIDE; PROMETHAZINE HYDROCHLORIDE
790.2668 CODEINE PHOSPHATE; PROMETHAZINE HYDROCHLORIDE
790.2672 CODEINE PHOSPHATE; PSEUDOEPHEDRINE HYDROCHLORIDE; TRIPROLIDINE HYDROCHLORIDE
790.2700 CORTICOTROPIN
790.2740 CROTAMITON
EMERGENCY
790.2780 CYANOCOBALAMIN
790.2800 CYCLACILLIN
790.2805 CYCLOBENZAPRINE HYDROCHLORIDE
EMERGENCY
~~790.2820~~ CYCLOPENTOLATE HYDROCHLORIDE
EMERGENCY
790.2860 CYCLOPHOSPHAMIDE
790.2900 CYPROHEPTADINE HYDROCHLORIDE
790.2902 CYTARABINE
790.2904 DACARBAZINE
790.2908 DANAZOL
EMERGENCY
790.2915 DAUNORUBICIN HYDROCHLORIDE
790.2928 DESIPRAMINE HYDROCHLORIDE (Repealed)

790.2932 DESONIDE
790.2940 DEXAMETHASONE
790.2980 DEXAMETHASONE; NEOMYCIN SULFATE; POLYMYXIN B SULFATE
790.3020 DEXAMETHASONE SODIUM PHOSPHATE
EMERGENCY
790.3021 DEXAMETHASONE SODIUM PHOSPHATE; NEOMYCIN SULFATE
790.3023 DEXCHLORPHENIRAMINE MALEATE
790.3025 DEXTROAMPHETAMINE SULFATE
790.3027 DEXTROMETHORPHAN HYDROBROMIDE; IODINATED GLYCEROL
EMERGENCY
790.3028 DEXTROMETHORPHAN HYDROBROMIDE; PROMETHAZINE HYDROCHLORIDE
790.3029 DEXTROSE
790.3030 DEXTROSE; DOPAMINE HYDROCHLORIDE
790.3032 DEXTROSE; HEPARIN SODIUM
790.3033 DEXTROSE; LIDOCAINE HYDROCHLORIDE
790.3038 DEXTROSE; MAGNESIUM CHLORIDE; POTASSIUM CHLORIDE; SODIUM ACETATE; SODIUM CHLORIDE; SODIUM GLUCONATE
790.3042 DEXTROSE; POTASSIUM CHLORIDE
790.3048 DEXTROSE; POTASSIUM CHLORIDE; SODIUM CHLORIDE
790.3049 DEXTROSE; SODIUM CHLORIDE
790.3051 DEXTROSE; THEOPHYLLINE
790.3054 DIAZEPAM
790.3056 DIAZOXIDE
790.3060 DICLOXACILLIN SODIUM
790.3085 DICYCLOMINE HYDROCHLORIDE
790.3100 DIENESTROL
790.3140 DIETHYLPROPION HYDROCHLORIDE
790.3180 DIETHYLSTILBESTROL
790.3220 DIGOXIN
EMERGENCY
790.3260 DIMENHYDRINATE
790.3300 DIPHENHYDRAMINE HYDROCHLORIDE
790.3308 DIPYRIDAMOLE
EMERGENCY
790.3315 DISOPYRAMIDE PHOSPHATE
790.3335 DOPAMINE HYDROCHLORIDE
790.3340 DOXEPIN HYDROCHLORIDE
EMERGENCY
790.3350 DOXORUBICIN HYDROCHLORIDE
790.3380 DOXYCYCLINE
790.3420 DOXYCYCLINE HYCLATE
EMERGENCY
790.3425 DOXYLAMINE SUCCINATE
790.3437 DROPERIDOL
790.3440 DROPERIDOL; FENTANYL CITRATE
790.3460 ECHOTHIOPHATE IODIDE (Repealed)
790.3472 EDETATE DISODIUM

790.3475 EDROPHONIUM CHLORIDE
790.3488 EPINEPHRINE HYDROCHLORIDE
790.3492 EPINEPHRINE; LIDOCAINE HYDROCHLORIDE
790.3500 ERGOCALCIFEROL
790.3540 ERGOLOID MESYLATES
EMERGENCY
790.3580 ERGOTAMINE TARTRATE
790.3620 ERYTHROMYCIN
EMERGENCY
790.3660 ERYTHROMYCIN ESTOLATE
790.3700 ERYTHROMYCIN ETHYLSUCCINATE
790.3720 ERYTHROMYCIN ETHYLSUCCINATE; SULFISOXAZOLE ACETYL
EMERGENCY
790.3730 ERYTHROMYCIN LACTOBIONATE
790.3740 ERYTHROMYCIN STEARATE
790.3742 ERYTHROMYCIN STEARATE
790.3780 ESTRADIOL CYPIONATE
790.3800 ESTRADIOL CYPIONATE; TESTOSTERONE CYPIONATE
790.3820 ESTRADIOL VALERATE
790.3860 ESTRADIOL VALERATE; TESTOSTERONE ENANTHATE
790.3900 ETHCHLORVYNOL
790.3904 ETHINYL ESTRADIOL; LEVONORGESTREL
790.3907 ETHINYL ESTRADIOL; NORETHINDRONE
EMERGENCY
790.3910 FENOPROFEN CALCIUM
EMERGENCY
790.3914 FENTANYL CITRATE
790.3920 FLOXURIDINE
790.3940 FLUOCINOLONE ACETONIDE
790.3945 FLUOCINONIDE
EMERGENCY
790.3960 FLUOROMETHOLONE
790.3980 FLUOROURACIL
790.3996 FLUPHENAZINE DECANOATE
790.4012 FLUPHENAZINE HYDROCHLORIDE
790.4020 FLURANDRENOLIDE
790.4040 FLURAZEPAM HYDROCHLORIDE
EMERGENCY
790.4060 FOLIC ACID
790.4100 FUROSEMIDE
790.4140 GENTAMICIN SULFATE
EMERGENCY
790.4150 GENTAMICIN SULFATE; SODIUM CHLORIDE
790.4173 GLUCAGON HYDROCHLORIDE
790.4180 GLUTHETHIMIDE
790.4200 GLYCINE
790.4220 GLYCOPYRROLATE

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790.4260 GONADOTROPIN CHORIONIC
790.4300 GRAMICIDIN; NEOMYCIN SULFATE; POLYMYXIN B SULFATE
790.4340 GRISEOFULVIN MICROCRYSTALLINE
790.4380 GRISEOFULVIN ULTRAMICROCRYSTALLINE
790.4384 GUAIFENESIN; HYDROCODONE BITARTRATE; PSEUDOEPHEDRINE HYDROCHLORIDE
790.4385 GUAIFENESIN; THEOPHYLLINE
EMERGENCY
790.4386 GUANETHIDINE MONOSULFATE
790.4396 HALOPERIDOL
790.4398 HALOPERIDOL LACTATE
790.4420 HEPARIN SODIUM
790.4430 HEPARIN SODIUM; SODIUM CHLORIDE
790.4460 HEXACHLOROPHENE
790.4495 HOMATROPINE HYDROBROMIDE
790.4500 HOMATROPINE METHYLBROMIDE (Repealed)
790.4540 HOMATROPINE METHYLBROMIDE; HYDROCODONE BITARTRATE
790.4580 HYDRALAZINE HYDROCHLORIDE
790.4620 HYDRALAZINE HYDROCHLORIDE; HYDROCHLOROTHIAZIDE
790.4660 HYDROCHLOROTHIAZIDE
790.4665 HYDROCHLOROTHIAZIDE; LABETALOL HYDROCHLORIDE
790.4667 HYDROCHLOROTHIAZIDE; LISINOPRIL
EMERGENCY
790.4670 HYDROCHLOROTHIAZIDE; METHYLDOPA
790.4680 HYDROCHLOROTHIAZIDE; PROPRANOLOL HYDROCHLORIDE
790.4700 HYDROCHLOROTHIAZIDE; SPIRONOLACTONE
790.4720 HYDROCHLOROTHIAZIDE; TRIAMTERENE
790.4725 HYDROCODONE BITARTRATE; PHENYLPROPANOLAMINE HYDROCHLORIDE
EMERGENCY
790.4728 HYDROCODONE BITARTRATE; PSEUDOEPHEDRINE HYDROCHLORIDE
790.4740 HYDROCORTISONE
EMERGENCY
790.4780 HYDROCORTISONE; NEOMYCIN SULFATE; POLYMYXIN B SULFATE
790.4820 HYDROCORTISONE; POLYMYXIN B SULFATE
790.4840 HYDROCORTISONE SODIUM PHOSPHATE
790.4860 HYDROCORTISONE; UREA
790.4900 HYDROCORTISONE ACETATE
790.4940 HYDROCORTISONE ACETATE; NEOMYCIN SULFATE
EMERGENCY
790.4960 HYDROCORTISONE ACETATE; PRAMOXINE HYDROCHLORIDE
790.4963 HYDROCORTISONE ACETATE; UREA
790.4965 HYDROCORTISONE BUTYRATE
790.4980 HYDROCORTISONE SODIUM SUCCINATE
790.5020 HYDROFLUMETHIAZIDE
790.5030 HYDROMORPHONE INJECTION
790.5060 HYDROXOCOBALAMIN
790.5100 HYDROXYPROGESTERONE CAPROATE

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790.5140 HYDROXYZINE HYDROCHLORIDE
790.5180 HYDROXYZINE PAMOATE
EMERGENCY
790.5220 IBUPROFEN
790.5260 IDOXURIDINE
790.5300 IMIPRAMINE HYDROCHLORIDE
790.5312 INDOMETHACIN
EMERGENCY
790.5320 IODINATED GLYCEROL
EMERGENCY
790.5340 IRON DEXTRAN COMPLEX
790.5380 ISOETHARINE HYDROCHLORIDE
EMERGENCY
790.5420 ISONIAZID
790.5460 ISOPROTERENOL HYDROCHLORIDE
790.5483 ISOSORBIDE DINITRATE
790.5500 KANAMYCIN SULFATE
790.5520 KETAMINE HYDROCHLORIDE
790.5530 LABETALOL HYDROCHLORIDE
790.5540 LACTULOSE
EMERGENCY
790.5544 LEUCOVORIN CALCIUM
790.5555 LEVOCARNITINE
790.5560 LEVONORDEFRIN; MEPIVICAINE HYDROCHLORIDE
790.5580 LIDOCAINE
790.5620 LIDOCAINE HYDROCHLORIDE
790.5640 LINCOMYCIN
EMERGENCY
790.5660 LINDANE
790.5700 LIOTHYRONINE SODIUM
790.5720 LISINOPRIL
790.5740 LITHIUM CARBONATE
EMERGENCY
790.5780 LITHIUM CITRATE
790.5792 LORAZEPAM
EMERGENCY
790.5795 LOXAPINE SUCCINATE
790.5800 MAGNESIUM CHLORIDE; POTASSIUM CHLORIDE; SODIUM ACETATE; SODIUM CHLORIDE; SODIUM GLUCONATE
790.5802 MANNITOL
790.5807 MAPROTILINE HYDROCHLORIDE
790.5820 MECLIZINE HYDROCHLORIDE
790.5830 MECLOFENAMATE SODIUM
EMERGENCY
790.5835 MEDROXYPROGESTERONE ACETATE
790.5837 MEFENAMIC ACID (Repealed)

790.5840 MEGESTROL ACETATE
EMERGENCY
790.5860 MENADIOL SODIUM PHOSPHATE
790.5872 MEPERIDINE HYDROCHLORIDE
790.5893 MEPIVICAINE HYDROCHLORIDE
790.5900 MEPROBAMATE
790.5924 MESTRANOL; NORETHINDRONE
790.5940 METAPROTERENOL SULFATE
EMERGENCY
790.5980 METARAMINOL BITARTRATE
790.5992 METHADONE HYDROCHLORIDE
790.5996 METHAMPHETAMINE HYDROCHLORIDE
790.6020 METHDILAZINE HYDROCHLORIDE
EMERGENCY
790.6060 METHENAMINE HIPPURATE
790.6100 METHICILLIN SODIUM
790.6140 METHOCARBAMOL
790.6180 METHOTREXATE SODIUM
EMERGENCY
790.6220 METHSCOPOLAMINE BROMIDE
790.6260 METHYCLOTHIAZIDE
790.6275 METHYLDOPA
790.6277 METHYLDOPATE HYDROCHLORIDE
790.6280 METHYLPHENIDATE HYDROCHLORIDE
790.6284 METHYLPREDNISOLONE
790.6300 METHYLPREDNISOLONE SODIUM SUCCINATE
790.6340 METHYLTESTOSTERONE
790.6370 METOCLOPRAMIDE HYDROCHLORIDE
EMERGENCY
790.6375 METOCURINE IODIDE
790.6380 METOLAZONE
790.6420 METRONIDAZOLE
790.6430 MINOCYCLINE
EMERGENCY
790.6435 MINOXIDIL
EMERGENCY
790.6445 MORPHINE SULFATE
790.6450 NAFCILLIN SODIUM
790.6452 NALBUPHINE HYDROCHLORIDE
790.6454 NALIDIXIC ACID
790.6456 NALOXONE HYDROCHLORIDE
790.6460 NANDROLONE DECANOATE
790.6480 NANDROLONE PHENPROPIONATE
790.6500 NAPHAZOLINE HYDROCHLORIDE
EMERGENCY
790.6505 NAPHAZOLINE HYDROCHLORIDE; PHENIRAMINE MALEATE
790.6540 NEOMYCIN SULFATE

790.6544 NEOMYCIN SULFATE; POLYMYXIN B SULFATE
790.6570 NEOMYCIN SULFATE; TRIAMCINOLONE ACETONIDE
790.6580 NIACIN
790.6610 NIFEDIPINE
EMERGENCY
790.6620 NITROFURANTOIN
790.6621 NITROFURANTOIN MACROCRYSTALS
790.6660 NITROFURAZONE
790.6670 NITROGLYCERIN INJECTION
790.6700 NORETHINDRONE ACETATE
790.6740 NORTRIPTYLINE HYDROCHLORIDE
790.6780 NYSTATIN
790.6800 NYSTATIN; TRIAMCINOLONE ACETONIDE
790.6820 ORPHENADRINE CITRATE
790.6860 OXACILLIN SODIUM
790.6875 OXAZEPAM
EMERGENCY
790.6885 OXTRIPHYLLINE
790.6895 OXYBUTYNIN
790.6900 OXYPHENBUTAZONE (Repealed)
790.6940 OXYTETRACYCLINE HYDROCHLORIDE
790.6946 OXYTOCIN
790.6960 PANCURONIUM BROMIDE
790.6980 PENICILLIN G POTASSIUM
790.7020 PENICILLIN G PROCAINE
790.7060 PENICILLIN G SODIUM (Repealed)
790.7100 PENICILLIN V POTASSIUM
790.7120 PENTOBARBITAL SODIUM
790.7130 PERPHENAZINE
790.7140 PHENDIMETRAZINE TARTRATE
790.7160 PHENOBARBITAL
790.7180 PHENTERMINE HYDROCHLORIDE
790.7181 PHENTERMINE RESIN COMPLEX
790.7220 PHENYLBUTAZONE (Repealed)
790.7221 PHENYLEPHRINE HYDROCHLORIDE
790.7223 PHENYLEPHRINE HYDROCHLORIDE; PROMETHAZINE HYDROCHLORIDE
790.7229 PHENYTOIN SODIUM INJECTION
790.7245 PILOCARPINE HYDROCHLORIDE
EMERGENCY
790.7260 PIPERAZINE CITRATE
790.7265 POLYETHYLENE GLYCOL 3350; POTASSIUM CHLORIDE; SODIUM BICARBONATE; SODIUM CHLORIDE; SODIUM SULFATE, ANHYDROUS
790.7272 POLYMYXIN B SULFATE
790.7278 POTASSIUM BICARBONATE
EMERGENCY
790.7280 POTASSIUM CHLORIDE
EMERGENCY

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790.7284 POTASSIUM CHLORIDE; SODIUM CHLORIDE
790.7288 POTASSIUM GLUCONATE
790.7291 PRALIDOXIME CHLORIDE
790.7294 PRAZEPAM
EMERGENCY
790.7296 PRAZOSIN HYDROCHLORIDE
790.7300 PREDNISOLONE ACETATE
790.7340 PREDNISOLONE ACETATE; SULFACETAMIDE SODIUM
EMERGENCY
790.7380 PREDNISOLONE SODIUM PHOSPHATE
EMERGENCY
790.7400 PREDNISONE
790.7420 PRIMIDONE
790.7460 PROBENECID
790.7500 PROCAINAMIDE HYDROCHLORIDE
790.7510 PROCAINE HYDROCHLORIDE
790.7540 PROCHLORPERAZINE EDISYLATE
790.7580 PROCHLORPERAZINE MALEATE
790.7620 PROGESTERONE
790.7660 PROMAZINE HYDROCHLORIDE
790.7700 PROMETHAZINE HYDROCHLORIDE
790.7740 PROPANTHELINE BROMIDE
790.7780 PROPARACAINE HYDROCHLORIDE
790.7820 PROPOXYPHENE HYDROCHLORIDE
790.7828 PROPRANOLOL HYDROCHLORIDE
EMERGENCY
790.7834 PROTAMINE SULFATE
790.7860 PSEUDOEPHEDRINE HYDROCHLORIDE; TRIPROLIDINE HYDROCHLORIDE
790.7900 PYRIDOSTIGMINE BROMIDE
790.7940 PYRIDOXINE HYDROCHLORIDE
790.7980 PYRILAMINE MALEATE
790.8015 QUINIDINE GLUCONATE
790.8020 QUINIDINE SULFATE
790.8060 RESERPINE
790.8100 RIFAMPIN
790.8106 RITODRINE HYDROCHLORIDE
EMERGENCY
790.8136 SECOBARBITAL SODIUM
790.8140 SELENIUM SULFIDE
EMERGENCY
790.8180 SILVER SULFADIAZINE
790.8220 SODIUM AMINOSALICYLATE
790.8232 SODIUM CHLORIDE
790.8244 SODIUM LACTATE
790.8248 SODIUM NITROPRUSSIDE
790.8260 SODIUM POLYSTYRENE SULFONATE
790.8290 SOYBEAN OIL

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790.8300 SPIRONOLACTONE
790.8340 STREPTOMYCIN SULFATE
790.8378 SULFABENZAMIDE; SULFACETAMIDE; SULFATHIAZOLE
790.8380 SULFABENZAMIDE; SULFACETAMIDE; SULFATHIAZOLE; UREA
790.8420 SULFACETAMIDE SODIUM
EMERGENCY
790.8460 SULFADIAZINE
790.8500 SULFAMETHIZOLE
790.8540 SULFAMETHOXAZOLE
790.8580 SULFAMETHOXAZOLE; TRIMETHOPRIM
EMERGENCY
790.8590 SULFANILAMIDE
790.8620 SULFASALAZINE
790.8660 SULFINPYRAZONE
790.8700 SULFISOXAZOLE
790.8710 SULINDAC
EMERGENCY
790.8724 TEMAZEPAM
790.8727 TERBUTALINE SULFATE
790.8740 TESTOSTERONE CYPIONATE
790.8780 TESTOSTERONE ENANTHATE
790.8820 TESTOSTERONE PROPIONATE
790.8860 TETRACYCLINE
790.8900 TETRACYCLINE HYDROCHLORIDE
790.8940 THEOPHYLLINE
790.8980 THIAMINE HYDROCHLORIDE
790.9020 THIORIDAZINE HYDROCHLORIDE
790.9035 THIOTHIXENE
790.9045 THIOTHIXENE HYDROCHLORIDE
790.9048 TIMOLOL MALEATE
EMERGENCY
790.9050 TOBRAMYCIN SULFATE
EMERGENCY
790.9056 TOLAZAMIDE
EMERGENCY
790.9060 TOLBUTAMIDE
790.9084 TRAZODONE HYDROCHLORIDE
EMERGENCY
790.9100 TRIAMCINOLONE ACETONIDE
EMERGENCY
790.9140 TRIFLUOPERAZINE HYDROCHLORIDE
790.9180 TRIHEXYPHENIDYL HYDROCHLORIDE
790.9220 TRIMEPRAZINE TARTRATE
790.9260 TRIMETHOBENZAMIDE HYDROCHLORIDE
790.9300 TRIMETHOPRIM

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790.9320	TRIMIPRAMINE MALEATE
EMERGENCY	
790.9340	TRIPELENNAMINE HYDROCHLORIDE
790.9380	TRIPROLIDINE HYDROCHLORIDE
790.9420	TRISULFAPYRIMIDINE
790.9460	TROPICAMIDE
EMERGENCY	
790.9475	VALPROATE SODIUM
790.9478	VALPROIC ACID
790.9486	VANCOMYCIN HYDROCHLORIDE
790.9500	VERAPAMIL HYDROCHLORIDE
790.9520	VINBLASTINE SULFATE
790.9530	VINCRISTINE SULFATE
790.9540	VITAMIN A
790.9580	VITAMIN A PALMITATE
790.9620	WATER FOR INJECTION, STERILE
790.9660	WATER FOR IRRIGATION, STERILE
790.9800	XYLOSE

AUTHORITY: Implementing and authorized by Section 3.14 of the Illinois Food, Drug and Cosmetic Act (Ill. Rev. Stat. 1989, ch. 56 1/2, par. 503.14) and Section 25 of the Pharmacy Practice Act (Ill. Rev. Stat. 1989, ch. 111, par. 4145).

SOURCE: Emergency amendment at 2 Ill. Reg. 18, p. 47, effective April 26, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 26, p. 150, effective July 1, 1978; emergency amendment at 2 Ill. Reg. 40, p. 98, effective October 1, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 51, p. 48, effective December 18, 1978; emergency amendment at 3 Ill. Reg. 2, p. 18, effective December 31, 1978, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 15, p. 147, effective April 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 27, p. 113, effective July 1, 1979; emergency amendment at 3 Ill. Reg. 32, p. 158, effective August 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 41, p. 178, effective October 8, 1979; emergency amendment at 4 Ill. Reg. 51, p. 147, effective December 12, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 3466, effective March 25, 1981; amended at 5 Ill. Reg. 7107, effective June 24, 1981; amended at 5 Ill. Reg. 9120, effective October 1, 1981; amended at 5 Ill. Reg. 14605, effective February 1, 1982; amended at 6 Ill. Reg. 6750, effective July 1, 1982; amended at 6 Ill. Reg. 11558, effective September 15, 1982; amended at 6 Ill. Reg. 15195, effective December 15, 1982; amended at 7 Ill. Reg. 7110, effective July 1, 1983; amended at 7 Ill. Reg. 13270, effective October 1, 1983; amended at 7 Ill. Reg. 16924, effective January 1, 1984; amended at 8 Ill. Reg. 2162, effective March 1, 1984; amended at 8 Ill. Reg. 8513, effective July 1, 1984; codified at 8 Ill. Reg. 13402; amended at 8 Ill. Reg. 22108, effective November 1, 1984; amended at 9 Ill. Reg. 4071, effective April 1, 1985; amended at 9 Ill. Reg. 6816, effective May 1, 1985; amended at

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10 Ill. Reg. 253, effective January 1, 1986; amended at 10 Ill. Reg. 8814, effective May 15, 1986; amended at 11 Ill. Reg. 3565, effective February 23, 1987; amended at 11 Ill. Reg. 9223, effective May 15, 1987; amended at 11 Ill. Reg. 14382, effective August 15, 1987; amended at 12 Ill. Reg. 1823, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1984, effective January 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 7743, effective April 15, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 9153, effective May 13, 1988; amended 12 Ill. Reg. 10133, effective May 31, 1988, emergency amendment at 12 Ill. Reg. 10745, effective June 2, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12846, effective July 29, 1988; emergency amendment at 12 Ill. Reg. 13255, effective August 5, 1988, for a maximum of 150 days, emergency expired January 2, 1989; amended at 12 Ill. Reg. 15101, effective September 16, 1988; emergency amendment at 12 Ill. Reg. 16937, effective October 7, 1988, for a maximum of 150 days; amended at 13 Ill. Reg. 856, effective January 6, 1989; emergency amendment at 13 Ill. Reg. 3108, effective February 28, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 8890, effective May 26, 1989, and January 1, 1990; amended at 13 Ill. Reg. 11717, effective July 14, 1989; corrected at 13 Ill. Reg. 12909; emergency amendment at 13 Ill. Reg. 12990, effective August 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 14477; emergency amendment at 13 Ill. Reg. 17101, effective October 13, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 19770, effective December 8, 1989; emergency amendment at 14 Ill. Reg. 1505 effective January 12, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 3184, effective February 16, 1990; emergency amendment at 14 Ill. Reg. 4620, effective March 9, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 8154, effective May 11, 1990; emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 11988, effective July 13, 1990; emergency amendment at 14 Ill. Reg. 13325, effective August 10, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 17298, effective October 5, 1990; emergency amendment at 14 Ill. Reg. 18588, effective November 9, 1990; emergency expired April 8, 1991; amended at 14 Ill. Reg. 20755, effective December 21, 1990; emergency amendment at 15 Ill. Reg. 3537, effective March 8, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 6566, effective April 19, 1991; emergency amendment at 15 Ill. Reg. 11194, effective July 19, 1991; for a maximum of 150 days; amended at 15 Ill. Reg. 11791, effective August 2, 1991; emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days.

AGENCY NOTE: The text of Sections 790.600, 790.1350, 790.3027, 790.3910, 790.5320, 790.7828 and 790.9048 which appear below do not include the emergency amendments adopted at 15 Ill. Reg. 11194, effective July 19, 1991, for a maximum of 150 days. The copies filed with the Administrative Code Unit reflect both emergency rules.

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SUBPART A: GENERAL PROVISIONS

Section 790.40 Consideration of Drug Products for Inclusion in the Illinois Formulary
EMERGENCY

a) Drug products for inclusion in the Illinois Formulary shall be approved and recommended to the Director, Illinois Department of Public Health, by a Technical Advisory Council composed of seven members, each of who has extensive experience in pharmaceutical affairs. Products for Council consideration shall be researched and presented by Departmental staff following consideration of recommendations by the Federal Food and Drug Administration (FDA), of recognized drug reference sources, of published research, and of qualified consultants.

b) No product shall be considered for inclusion in the Illinois Formulary unless each individual dosage form, dosage strength and manufacturer has been recommended for drug product selection use by the FDA. Each product considered must be verified by the FDA as being marketed under currently approved drug applications, as meeting required manufacturing standards and chemical identity standards, and as being cleared of any issues involving the bioequivalence or bioavailability of the product. Prior to being sanctioned for DPS use, the product must pass FDA criteria specific for DPS approval which may be more stringent than that required for general marketing approval.

c) Products in generic entities (as described in Section 790.100 of this Part) never previously reviewed in any manner shall be ineligible for consideration at Technical Advisory Council meetings if the products' FDA approval date is 30 or fewer days prior to the scheduled Technical Advisory Council meeting. Such entities initial review shall be deferred to the next scheduled Technical Advisory Council meeting.

d) Manufacturers of products in generic entities never previously reviewed in any manner, or items under further consideration by the Technical Advisory Council, for whatever reason, shall comply with the following criteria to be allowed to address the Council:

1) Eight copies of testimony and eight copies of any and all data upon which comment or reference to may be made, whether published or unpublished, shall be submitted, in writing, to the following address no later than 21 calendar days prior to the regularly scheduled quarterly meeting of the Technical Advisory Council.

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Administrator, Drug Product Selection Program
Illinois Department of Public Health
Office of Health Protection
Division of Food, Drugs and Dairies
525 W. Jefferson Street
Springfield, Illinois 62761

2) The Department shall notify all other manufacturers of products within a specific generic entity that a petition for review has been received within the time frame specified in this Section. Such manufacturers shall provide 8 copies of testimony and eight copies of any and all data upon which comment or reference to may be made, whether published or unpublished, in writing, to the Department within 14 days of the regularly scheduled meeting should they wish to make presentation on the specific issue at the Council meeting.

3) Each manufacturer shall be limited to a 20 minute presentation, irrespective of their number of speakers. Additional time shall be available to answer specific questions of the Technical Advisory Council members, if necessary.

e) Failure to comply with these criteria shall result in the exclusion of the speaker(s) from the agenda.

f) Exclusive indications and unique product packaging, whether patented or unpatented, do not constitute criteria for inclusion of a drug entity in the Illinois Formulary.

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.600 ACETAMINOPHEN; PROPOXYPHENE NAPSYLATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Acetaminophen; Propoxyphene Napsylate	tab 325mg;50mg	Barr
	tab 650mg;100mg	Barr
	tab 325mg;50mg	Bolar
	tab 650mg;100mg	Bolar
	tab 325mg;50mg	Chelsea
	tab 650mg;100mg	Chelsea
	tab 650mg;100mg	Cord
	tab 325mg;50mg	Halsey
	tab 650mg;100mg	Halsey
	tab 650mg;100mg	Lederle/Am Cyanamid

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	tab 650mg;100mg	Mylan
	tab 650mg;100mg	Purepac/Kalipharma
	tab 650mg;100mg	Superpharm
	tab 650mg;100mg	Zenith
Brand(s)		
Darvocet-N 50	tab 325mg;50mg	Lilly
Darvocet-N 100	tab 650mg;100mg	Lilly
Propacet 100	tab 650mg;100mg	Lemmon

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.799 AMILORIDE HYDROCHLORIDE; HYDROCHLOROTHIAZIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Amiloride Hydrochloride; Hydrochlorothiazide	tab 5mg;50mg	Barr
	tab 5mg;50mg	Biocraft
	tab 5mg;50mg	Royce Labs
Brand(s)		
Hydro-ride	tab 5mg;50mg	Par
Moduretic 5/50	tab 5mg;50mg	MSD/Merck

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.920 AMOXAPINE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Amoxapine	tab 25,50,100,150mg	Watson
	tab 25,50,100,150mg	Geneva
Brand(s)		
Asendin	tab 25,50,100,150mg	Lederle/Am Cyanamid

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.1350 ASPIRIN; CODEINE PHOSPHATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Aspirin; Codeine Phosphate	tab 325mg;30,60mg	Zenith

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This entity was reviewed by the Technical Advisory Council and admitted to the Illinois Formulary as an exception to the promulgated criteria for inclusion, pursuant to Section 790.60.

(Source: Emergency rule added at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.1388 ATENOLOL
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Atenolol	tab 50,100mg	IPR
Brands		
Tenormin	tab 50,100mg	Imperial Chem

(Source: Emergency rule added at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.1950 CARBINOXAMINE MALEATE; DEXTROMETHORPHAN HYDROBROMIDE; PSEUDOEPHEDRINE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Carbinoxamine Maleate; Dextromethorphan Hydrobromide; Pseudoephedrine Hydrochloride	syr 4mg/5ml;15mg/5ml; 60mg/5ml	Cord
	syr 4mg/5ml;15mg/5ml; 60mg/5ml	Pharmaceutical Basics
Brand(s)		
Carbofed DM Drops	drops 2mg/ml;4mg/ml; 25mg/ml	HiTech Pharmacal
Cardec DM Drops	drops 2mg/ml;4mg/ml; 25mg/ml	National Pharm/Barre
E-Dec DM Drops	drops 2mg/ml;4mg/ml; 25mg/ml	Esquire
Rondec DM Drops	drops 2mg/ml;4mg/ml; 25mg/ml	Ross/Abbott
Carbofed DM Syrup	syr 4mg/5ml;15mg/5ml; 60mg/5ml	HiTech Pharmacal
Maldec DM Syrup	syr 4mg/5ml;15mg/5ml; 60mg/5ml	HR Cenci
Rondec CM Syrup	syr 4mg/5ml;15mg/5ml 60mg/5ml	Ross/Abbott

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*This entity was reviewed by the Technical Advisory Council and admitted to the Illinois Formulary as an exception to the promulgated criteria for inclusion, pursuant to Section 790.60.

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.2485 CHLORPHENIRAMINE TANNATE; PHENYLEPHRINE TANNATE; PYRILAMINE TANNATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Chlorpheniramine Tannate; Phenylephrine Tannate; Pyrilamine Tannate	susp 2mg/5ml;5mg/5ml; 12.5mg/5ml	Ferndale
Brand(s)		
Histatan	susp 2mg/5ml;5mg/5ml; 12.5mg/5ml	LuChem
R-Tannate	susp 2mg/5ml;5mg/5ml 12.5mg/5ml	Copley
Rynatan Pediatric	susp 2m/5ml;5mg/5ml; 12.5mg/5ml	Wallace

(Source: Emergency amendment at 15 Ill. Reg. 17484, effective October 25, 1991, for a maximum of 150 days)

Section 790.2580 CHLORZOXAZONE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Chlorzoxazone	tab 250mg	Amide
	tab 500mg	Barr
	@ tab 250mg	Chelsea
	tab 250,500mg	Cord
	tab 250,500mg	Danbury
	tab 500mg	Lemmon
	tab 500mg	Mutual
	tab 250mg	Par
	tab 250,500mg	Pioneer
	tab 500mg	Royce Labs
Brands		
Paraflex	tab 250mg	McNeil
Parafon Forte DSC	tab 500mg	McNeil

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Strifon Forte DSC	tab 500mg	Ferndale

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.2603 CLINDAMYCIN HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Clindamycin Hydrochloride	cap 75,150mg	Biocraft
	cap 75,150mg	Danbury
Brand(s)		
Cleocin	cap 75,150mg	Upjohn

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.2613 CLOFIBRATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Clofibrate	cap 500mg	Chelsea
	cap 500mg	Cord
	cap 500mg	Novopharm
	cap 500mg	Pharmaceutical Basics
Brand(s)		
Atromid-S	cap 500mg	Wyeth Ayerst/AMHO

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.2805 CYCLOBENZAPRINE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Cyclobenzaprine Hydrochloride	tab 10mg	Danbury
	tab 10mg	Mylan
Brand(s)		
Flexeril	tab 10mg	MSD/Merck

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

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Section 790.3027 DEXTROMETHORPHAN HYDROBROMIDE; IODINATED GLYCEROL
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Dextromethorphan Hydrobromide; Iodinated Glycerol	liq 10mg/5ml;30mg/5ml	Duramed
	liq 10mg/5ml;30mg/5ml	Luchem
	liq 10mg/5ml;30mg/5ml	National Pharm/Barre
	liq 10mg/5ml;30mg/5ml	Pharmaceutical Basics
Brand(s)		
Iogan DM	liq 10mg/5ml;30mg/5ml	HiTech Pharmacal
Iotuss DM	liq 10mg/5ml;30mg/5ml	HR Cenci
Tussi-Organidin DM	liq 10mg/5ml;30mg/5ml	~~Organon/Akzona~~Wallace

This entity was reviewed by the Technical Advisory Council and admitted to the Illinois Formulary as an exception to the promulgated criteria for inclusion, pursuant to Section 790.60.

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.3910 FENOPROFEN CALCIUM
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Fenoprofen Calcium	cap 200,300mg	American Therapeutics
	cap 200,300mg	Cord
	cap 200,300mg	Halsey
	cap 200,300mg	Par
	cap 200,300mg	Warner Chilcott/W-L
	cap 200,300mg	Watson
	tab 600mg	American Therapeutics
	tab 600mg	Chelsea
	tab 600mg	Cord
	tab 600mg	Danbury
	tab 600mg	Duramed
	tab 600mg	Halsey
	tab 600mg	Lederle/Am Cyanamid
	tab 600mg	Mylan
	tab 600mg	Par
	tab 600mg	Pharmaceutical Basics
	tab 600mg	Purepac/Kalipharma
	tab 600mg	Quantum
	tab 600mg	Watson
	tab 600mg	Zenith

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Brand(s)		
Nalfon	cap 200,300mg	Lilly/Dista
Nalfon	tab 600mg	Lilly/Dista

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.4040 FLURAZEPAM HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Flurazepam Hydrochloride	cap 15,30mg	Barr
	cap 15,30mg	Chelsea
	cap 15,30mg	Danbury
	cap 15,30mg	Geneva
	cap 15,30mg	Halsey
	cap 15,30mg	Mylan
	cap 15,30mg	Par
	cap 15,30mg	Parke-Davis/W-L
	cap 15,30mg	Pharmaceutical Basics
	cap 15,30mg	Purepac
	cap 15,30mg	Superpharm
	cap 15,30mg	Warner-Chilcott/W-L
	cap 15,30mg	West-Ward
Brand(s)		
Dalmane	cap 15,30mg	Hoffmann-LaRoche

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.5180 HYDROXYZINE PAMOATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Hydroxyzine Pamoate	cap 25,50,100mg	Barr
	cap 25,50,100mg	Bolar
	cap 25,50mg	Chelsea
	cap 25,50,100mg	Danbury
	cap 25,50,100mg	Duramed
	cap 25,50,100mg	Geneva Pharm
	cap 25,50,100mg	Par
	cap 25,50,100mg	Superpharm
	cap 25,50mg	(Vangard/MWM)
	cap 25,50mg	Zenith

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Brand(s)		
Hy-Pam	cap 25,50mg	Vitarine
Vistaril	cap 25,50,100mg	Pfizer

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.5312 INDOMETHACIN
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Indomethacin	cap 25,50mg	Barr
	cap 25,50mg	Bolar
	cap 25,50mg	Chelsea
	cap 25,50mg	Cord
	cap 25,50mg	Danbury
	cap 25,50mg	Duramed
	cap 25,50mg	Halsey
	cap 25,50mg	Lederle
	cap 25,50mg	Mutual
	cap 25,50mg	Mylan
	cap 25,50mg	Novopharm
	cap 25,50mg	Par
	cap 25,50mg	Parke-Davis/W-L
	cap 25,50mg	Pioneer
	cap 25,50mg	Roxane
	cap 25,50mg	Sidmak
	cap 25,50mg	Superpharm
	cap 25,50mg	Watson
	@ cap 25,50mg	Zenith
	cap, sustained release,75mg	Forest/Inwood
	susp 25mg/5ml	Roxane
Brand(s)		
Indo-Lemmon	cap 25,50mg	Lemmon
Indocin	cap 25,50mg	MSD/Merck
Indocin-SR	cap, sustained release,75mg	MSD/Merck
Indocin	susp 25mg/5ml	MSD/Merck

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.5320 IODINATED GLYCEROL
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Iodinated Glycerol	liq 60mg/5ml (30mg organically bound iodine)	National Pharm/Barre
	liq 60mg/5ml (30mg organically bound iodine)	Pharmaceutical Basics
	soln 50mg/ml (25mg organically bound iodine)	National Pharm/Barre
Brand(s)		
Iogan	liq 60mg/5ml (30mg organically bound iodine)	HiTech Pharmacal
Iotuss	liq 60mg/5ml (30mg organically bound iodine)	HR Cenci
Organidin	liq 60mg/5ml (30mg organically bound iodine)	~~Organon/Akzona~~Wallace
Iogan Soln	soln 50mg/ml (25mg organically bound iodine)	HiTech Pharmacal
Iotuss Soln	soln 50mg/ml (25mg organically bound iodine)	HR Cenci
Organidin Drops	soln 50mg/ml (25mg organically bound iodine)	Wallace

This entity was reviewed by the Technical Advisory Council and admitted to the Illinois Formulary as an exception to the promulgated criteria for inclusion, pursuant to Section 790.60.

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.5380 ISOETHARINE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Isoetharine Hydrochloride	soln for inhl 0.062%,0.125, 0.167,0.2,0.25%	Armour
	soln for inhl 0.08,0.1, 0.17,0.25,1%	Dey
	soln for inhl 0.1,0.167, 0.2,0.25,1%	IMS
	soln for inhl 1%	National Pharm/Barre

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	soln for inhl 1%	Parke-Davis/W-L
	soln for inhl 0.1,0.125, 0.167,0.2,0.25,1%	Roxane
	soln for inhl 0.08,0.25%	Travenol
Brand(s)		
Beta-2	soln for inhl 1%	Nephron
Bronkosol	soln for inhl 0.25,1%	Winthrop-Breon/Sterling

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.5640 LINCOMYCIN
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Lincomycin	inj eq 300mg base/ml	Quad
	inj eq 300mg base/ml	Steris
Brand(s)		
Lincocin	inj eq 300mg base/ml	Upjohn

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.5792 LORAZEPAM
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Lorazepam	tab 0.5,1,2mg	Barr
	tab 0.5,1,2mg	Cord
	tab 0.5,1,2mg	Danbury
	tab 0.5,1,2mg	Halsey
	tab 0.5,1,2mg	Mutual
	tab 0.5,1,2mg	Mylan
	tab 0.5,1,2mg	Par
	tab 1,2mg	Pharmaceutical Basics
	tab 0.5,1,2mg	Purepac/Kalipharma
	tab 0.5,1,2mg	Superpharm
	tab 1,2mg	Warner Chilcott/W-L
	tab 0.5,1,2mg	Watson
Brand(s)		
Ativan	tab 0.5,1,2mg	Wyeth Ayerst/AMHO
Loraz	tab 0.5,1,2mg	Quantum

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.6370 METOCLOPRAMIDE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Metoclopramide Hydrochloride	inj eq 5mg base/ml	Abbott
	inj eq 5mg base/ml	Dupont Pharms
	inj eq 5mg base/ml	LyphoMed
	inj eq 5mg base/ml	Norbrook Am
	inj eq 5mg base/ml	Quad
	inj eq 10mg base/2ml	Solopak
	syr eq 5mg base/5ml	Biocraft
	syr eq 5mg base/5ml	National Pharm/Barre
	syr eq 5mg base/5ml	Paco Research
	syr eq 5mg base/5ml	Pharmaceutical Assoc
	syr eq 5mg base/5ml	Pharmaceutical Basics
	syr eq 5mg base/5ml	Roxane
	tab eq 10mg base	Barr
	tab eq 10mg base	Biocraft
	tab eq 10mg base	Bolar
	tab eq 10mg base	Chelsea
	tab eq 10mg base	Cord
	tab eq 10mg base	Danbury
	tab eq 10mg base	Halsey
	tab eq 10mg base	Interpharm
	tab eq 5,10mg base	Invamed
	tab eq 10mg base	Lederle/Am Cyanamid
	tab eq 10mg base	Martec
	tab eq 10mg base	Par
	tab eq 10mg base	Pharmaceutical Basics
	tab eq 10mg base	Purepac/Kalipharma
	tab eq 10mg base	Schering
	tab eq 10mg base	Sidmak
	tab eq 10mg base	Superpharm
	tab eq 10mg base	Watson
Brand(s)		
Octamide PFS	inj eq 5mg base/ml	David Bull Labs
Reglan	inj eq 5mg base/ml	Robins
Reglan	syr eq 5mg base/5ml	Robins
Clopra	tab eq 5,10mg base	Quantum
Maxolon	tab eq 10mg base	Beecham
Reglan	tab eq 5,10mg base	Robins

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1992, for a maximum of 150 days)

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Section 790.7828 PROPRANOLOL HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Propranolol Hydrochloride	cap, extended release 60,80,120,160mg	Inwood
	inj 1mg/ml	Solopak
	oral soln 20mg/5ml	Pharmaceutical Basics
	oral soln 40mg/5ml	Pharmaceutical Basics
	oral soln 20mg/5ml	Roxane
	oral soln 40mg/5ml	Roxane
	tab 10,20,40,60,80mg	Barr
	tab 10,20,40,60,80mg	Bolar
	tab 10,20,40,60,80mg	Chelsea
	tab 10,20,40,60,80mg	Cord
	tab 10,20,40,60,80,90mg	Danbury
	tab 10,20,40,60,80,90mg	Duramed
	tab 10,20,40,80mg	Interpharm
	tab 10,20,40,60,80,90mg	Invamed
	tab 10,20,40,60,80,90mg	Lederle/Am Cyanamid
	tab 10,20,40mg	Lemmon
	tab 10,20,40,60,80mg	Martec
	tab 10,20,40,60,80mg	Mylan
	tab 10,20,40,60,80,90mg	Par
	tab 10,20,40,60,80mg	Parke-Davis/W-L
	tab 10,20,40,60,80mg	Purepac/Kalipharma
	tab 10,20,40,60,80,90mg	Roxane
	tab 10,20,40,60,80mg	Schering
	tab 10,20,40,60,80,90mg	Sidmak
	tab 10,20,40,60,80,90mg	Sterling
	tab 10,20,40,80mg	Superpharm
	tab 10,20,40,60,80,90mg	Watson
	tab 10,20,40,60,80mg	Zenith
Brand(s)		
Inderal LA	cap, extended release, 60,80,120,160mg	Wyeth Ayerst/AMHO
Inderal	inj 1mg/ml	Wyeth Ayerst/AMHO
Inderal	tab 10,20,40,60,80,90mg	Wyeth Ayerst/AMHO

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

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Section 790.8580 SULFAMETHOXAZOLE; TRIMETHOPRIM
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Sulfamethoxazole; Trimethoprim	inj 80mg/ml;16mg/ml	Elkins-Sinn/Robins
	inj 80mg/ml;16mg/ml	Lemmon
	inj 80mg/ml;16mg/ml	LyphoMed
	inj 80mg/ml;16mg/ml	Steris
	@ susp 200mg/5ml;40mg/5ml	Pharmaceutical Basics
	susp 200mg/5ml;40mg/5ml	Plantex
	tab 400mg;80mg	Barr
	tab 800mg;160mg	Barr
	tab 400mg;80mg	Chelsea
	tab 800mg;160mg	Chelsea
	tab 400mg;80mg	Cord
	tab 800mg;160mg	Cord
	tab 400mg;80mg	Danbury
	tab 800mg;160mg	Danbury
	tab 400mg;80mg	Heather
	tab 800mg;160mg	Heather
	tab 400mg;80mg	Interpharm
	tab 800mg;160mg	Interpharm
	tab 400mg;80mg	Martec
	tab 800mg;160mg	Martec
	tab 400mg;80mg	Mutual
	tab 800mg;160mg	Mutual
	tab 400mg;80mg	Par
	tab 800mg;160mg	Par
	tab 400mg;80mg	Pharmaceutical Basics
	tab 800mg;160mg	Pharmaceutical Basics
	tab 400mg;80mg	Plantex
	tab 800mg;160mg	Plantex
	tab 400mg;80mg	Sidmak
	tab 800mg;160mg	Sidmak
	tab 400mg;80mg	Vitarine
	tab 800mg;160mg	Vitarine
Brand(s)		
Bactrim	inj 80mg/ml;16mg/ml	Hoffmann-LaRoche
Septra	inj 80mg/ml;16mg/ml	Burroughs Wellcome
Sulfamethoprim	inj 80mg/ml;16mg/ml	Quad
Bactrim	susp 200mg/5ml;40mg/5ml	Hoffmann-LaRoche
Septra	susp 200mg/5ml;40mg/5ml	Burroughs Wellcome
SMZ-TMP	susp 200mg/5ml;40mg/5ml	Biocraft
Sulfatrim	susp 200mg/5ml;40mg/5ml	National Pharm/Barre
Trimeth/Sulfa	susp 200mg/5ml;40mg/5ml	Naska
Bactrim	tab 400mg;80mg	Hoffmann-LaRoche

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Bactrim DS	tab 800mg;160mg	Hoffmann-LaRoche
Cotrim	tab 400mg;800mg	Lemmon
Cotrim-DS	tab 800mg;160mg	Lemmon
Septra	tab 400mg;80mg	Burroughs Wellcome
Septra DS	tab 800mg;160mg	Burroughs Wellcome
SMZ-TMP	tab 400mg;80mg	Biocraft
SMZ-TMP	tab 800mg;160mg	Biocraft
Sulfamethoprim	tab 400mg;80mg	Par
Sulfamethoprim-DS	tab 800mg;160mg	Par
Sulfatrim SS	tab 400mg;80mg	Superpharm
Sulfatrim DS	tab 800mg;160mg	Superpharm
Uroplus SS	tab 400mg;80mg	Shionagi USA
Uroplus DS	tab 800mg;160mg	Shionagi USA

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.9048 TIMOLOL MALEATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Timolol Maleate	tab 5,10,20mg	Bolar
	tab 5,10,20mg	Cord
	tab 5,10,20mg	Danbury
	tab 5,10,20mg	Mylan
	tab 5,10,20mg	Pharmaceutical Basics
Brand(s)		
Blocadren	tab 5,10,20mg	MSD/Merck

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

Section 790.9050 TOBRAMYCIN SULFATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Tobramycin Sulfate	inj 10,40mg/ml	Abbott
	inj 10,40mg/ml	Lederle/Am Cyanamid
	inj 10,40mg/ml	Marsam
Brand(s)		
Nebcin	inj 10,40mg/ml	Dista/Lilly

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

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Section 790.9100 TRIAMCINOLONE ACETONIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Triamcinolone Acetonide	cream 0.025,0.1,0.5%	Altana
	cream 0.025%	Ambix
	cream 0.025,0.1,0.5%	Clay-Park
	cream 0.025,0.1%	G and W
	cream 0.025,0.1,0.5%	Pharmaceutical Basics
	cream 0.025,0.1,0.5%	Pharmafair
	cream 0.025,0.1,0.5%	Thames
	cream 0.025,0.1,0.5%	Topiderm
	lotion 0.025,0.1%	National Pharm/Barre
	lotion 0.025,0.1%	Pharmaceutical Basics
	lotion 0.1%	Thames
	oint 0.025,0.1,0.5%	Altana
	oint 0.025,0.1,0.5%	Clay-Park
	oint 0.025,0.1%	G & W Labs
	oint 0.5%	Naska
	oint 0.025,0.1,0.5%	Pharmaceutical Basics
	oint 0.025,0.1%	Pharmaderm/Altana
	oint 0.1%	Thames
	paste, dental 0.1%	Thames
Brand(s)		
Aristocort	cream 0.025,0.1,0.5%	Lederle/Am Cyanamid
Flutex	cream 0.025,0.1,0.5%	Syosset
Kenac	cream 0.025,0.1%	NMC
Kenalog	cream 0.025,0.1,0.5%	Squibb
Triacet	cream 0.025,0.1,0.5%	Lemmon
Triacort	cream 0.1%	Reid-Rowell
Triderm	cream 0.1%	Del-Ray
Trymex	cream 0.025,0.1,0.5%	Altana/Savage
Aristocort-A	cream, hydrophilic 0.025, 0.1,0.5%	Lederle/Am Cyanamid
Kenalog-H	cream, hydrophilic 0.1%	Squibb
Kenalog	lotion 0.025,0.1%	Squibb
Aristocort	oint 0.1,0.5%	Lederle/Am Cyanamid
Flutex	oint 0.025,0.1,0.5%	Syossett
Kenac	oint 0.1%	NMC
Kenalog	oint 0.025,0.1,0.5%	Squibb
Trymex	oint 0.025,0.1%	Savage/Altana
Aristocort-A	oint, hydrophilic 0.1%	Lederle/Am Cyanamid
Kenalog in Orabase	paste, dental 0.1%	Squibb
Oracort	paste, dental 0.1%	Taro

(Source: Emergency amendment at 15 Ill. Reg. 16484, effective October 25, 1991, for a maximum of 150 days)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF MODIFICATION TO EMERGENCY AMENDMENTS

Code Citation: 89 Ill. Adm. Code 406.2

This modification has been disallowed due to the absence of an Objection from JCAR.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

WITHDRAWAL OF FILING PROHIBITION OF PROPOSED RULEMAKING

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Heading of Part: Reports of Child Abuse and Neglect

Code Citation: (89 Ill. Adm. Code 300)

Section Numbers: 300.20

Date First Notice Published in Illinois Register: 6/21/91
15 Ill. Reg. 8735

Date Filing Prohibition Published in Illinois Register: 10/4/91
15 Ill. Reg. 14320

Date Filing Prohibition Became Effective: 9/19/91

Date Filing Prohibition Withdrawn: 10/22/91

The Joint Committee on Administrative Rules hereby Certifies that, pursuant to Section 7.06a of the Illinois Administrative Procedure Act, as amended, the Joint Committee on Administrative Rules at its meeting of 10/22/91 has withdrawn the prohibition against the filing of Section 300.20 of the Department of Children and Family Services' proposed rule entitled "Reports of Child Abuse and Neglect" (89 Ill. Adm. Code 300). The Committee originally issued this prohibition at its 9/17/91 meeting.

Please take notice that the agency is no longer prohibited from filing the rulemaking, as modified in accordance with agreements between the agency and the Joint Committee on Administrative Rules, with the Secretary of State and from enforcing or invoking the rulemaking.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION

DEPARTMENT OF PUBLIC AID

Heading of Part: Aid to the Aged, Blind or Disabled

Code Citation: 89 Ill. Adm. Code 113

Section Numbers: 113.306

Date Originally Published in Illinois Register: 7/26/91
15 Ill. Reg. 10889

At its meeting on October 22, 1991, the Joint Committee on Administrative Rules objected to the above proposed rulemaking. Failure of the agency to respond within 90 days of receipt of the Statement of Objection shall constitute withdrawal of the proposed rulemaking in its entirety.

The specific objection is as follows:

The Committee objects to DPA's proposed repeal of the Section entitled "Aid to the Aged, Blind or Disabled" (89 Ill. Adm. Code 113) because the Department failed to effectively consider the economic effect on the not-for-profit agencies, as required by Sections 3.10 and 4.03 of the Illinois Administrative Procedure Act.

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JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION

DEPARTMENT OF PUBLIC AID

Heading of Part: Crisis Assistance

Code Citation: 89 Ill. Adm. Code 116

Section Numbers: 116.510 and 116.520

Date Originally Published in Illinois Register: 7/26/91
15 Ill. Reg. 10897

At its meeting on October 22, 1991, the Joint Committee on Administrative Rules objected to the above proposed rulemaking. Failure of the agency to respond within 90 days of receipt of the Statement of Objection shall constitute withdrawal of the proposed rulemaking in its entirety.

The specific objection is as follows:

The Committee objects to DPA's proposed amendment to the Section entitled "Crisis Assistance" (89 Ill. Adm. Code 116) because the Department failed to effectively consider the economic effect on not-for-profit agencies, as required by Sections 3.10 and 4.03 of the Illinois Administrative Procedure Act.

88610897

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO EMERGENCY RULEMAKING

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Heading of Part: Travel

Code Citation: 80 Ill. Adm. Code 2800

Section Numbers: 2800.240

Date Originally Published in Illinois Register: 9/6/91
15 Ill. Reg. 13196

At its meeting on October 22, 1991, the Joint Committee on Administrative Rules objected to the above emergency rulemaking entitled Travel (80 Ill. Adm. Code 2800) of CMS because no conditions exist that meet the public health, safety or welfare criteria for emergency rulemaking set out in Section 5.02 of the IAPA.

Failure of the agency to respond within 90 days of receipt of the Statement of Objection shall constitute a refusal to amend or repeal the rule.

88513196

POLLUTION CONTROL BOARD

NOTICE OF Corrections TO ADOPTED AMENDMENTS

1) Heading of the Part for which adopted amendments are being corrected: DEFINITIONS AND GENERAL PROVISIONS

2) Code Citation: 35 Ill. Adm. Code 211

3) Illinois Register citation to Notice of Adopted Amendments: 15 Ill. Reg. 15564, October 25, 1991

4) Sections being Corrected: 211.122

5) Correction(s) being made:

In the definition of "volatile organic material," the chemical name, "Trichlorotrifluoroethane (CFC-113)," appeared underlined as added regulatory language. This was incorrect, since this substance was previously listed as an exempted compound. Rather, the chemical name, "1,1,1-Trifluoroethane (HFC-143a)," should have appeared as underlined, as this rulemaking added that compound.

These names appeared incorrectly underlined in the Notice of Proposed Amendments, which appeared at 15 Ill. Reg. 6385, May 3, 1991. The Notice of Adopted Amendments of October 25, 1991 discussed the correction, but the correction did not appear in the regulatory language of that Notice. The text of the rule filed with the Secretary of State requires no correction in this regard.

The 35 Ill. Adm. Code 211.122 definition of "volatile organic material" should have appeared as follows in the Notice of Adopted Amendments:

"Volatile Organic Material" ~~— or "Volatile Organic Material Content (VOMC)": — the emissions of volatile organic material which would result from the exposure of a coating, printing ink, fountain solution, tire spray, dry cleaning waste or other similar material to the air, including any drying or curing, in the absence of any control equipment. VOMC is typically expressed as kilogram (kg) VOM/liter (lb VOM/gallon) of coating or coating solids, or kg VOM/kg (lb VOM/lb) of coating material.~~

Any organic compound which participates in atmospheric photochemical reactions unless specifically exempted from this definition. For purposes of determining compliance with emission limits, volatile organic material shall be measured by the reference test methods incorporated by reference in 35 Ill. Adm. Code 215.105. Where such a method also inadvertently measures compounds with negligible photochemical reactivity, an owner or operator may exclude these negligibly reactive compounds.

POLLUTION CONTROL BOARD

NOTICE OF Corrections TO ADOPTED AMENDMENTS

For purposes of this definition, the following organic compounds have been determined to have negligible photochemical reactivity and are not volatile organic materials:

Chlorodifluoroethane (HCFC-142b)
Chlorodifluoromethane (CFC-22)
Chloropentafluoroethane (CFC-115)
2-Chloro-1,1,1,2-tetrafluoroethane (HCFC-124)
Dichlorodifluoromethane (CFC-12)
Dichlorofluoroethane (HCFC-141b)
Dichloromethane (Methylene chloride)
Dichlorotetrafluoroethane (CFC-114)
Dichlorotrifluoroethane (HCFC-123)
1,1-Difluoroethane (HFC-152a)
Ethane
Methane
~~Dichloromethane (Methylene chloride)~~
Pentafluoroethane (HFC-125)
Tetrafluoroethane (HFC-134a)
1,1,2,2-Tetrafluoroethane (HFC-134)
Trichloroethane (Methyl chloroform)
Trichlorofluoromethane (CFC-11)
Trichlorotrifluoroethane (CFC-113)
1,1,1-Trifluoroethane (HFC-143a)
Trifluoromethane (FC-23)

and the following classes of compounds:

Cyclic, branched, or linear, completely fluorinated alkanes.

Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations.

Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations.

Sulphur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

BOARD NOTE: USEPA or the Agency may require monitoring to demonstrate the amount of an exempted compound in a source's emissions on a case-by-case basis as a pre-condition to

POLLUTION CONTROL BOARD

NOTICE OF CorrectionsTO ADOPTED AMENDMENTS

exemption of that compound under certain circumstances, such as where VOMs and exempted compounds are mixed together, there are a large number of exempted compounds, or the chemical composition of the exempted compounds is not known. See 35 Ill. Adm. Code 215.108; 56 Fed Reg. 11419-20.

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PUBLIC INFORMATION

NOTICE OF ACCEPTANCE OF AN APPLICATION
BY MERCANTILE BANCORPORATION, INC.,
ST. LOUIS, MISSOURI, TO ACQUIRE
OLD NATIONAL BANCSHARES, INC.,
CENTRALIA, ILLINOIS

Pursuant to Section 3.071(d) of the Illinois Bank Holding Company Act of 1957 (Ill. Rev. Stat. 1989, ch. 17, par. 2510.01(d)), notice is hereby given that the Commissioner of Banks and Trust Companies has accepted for processing an application by Mercantile Bancorporation, Inc., Mercantile Tower, St. Louis, Missouri 63166, to acquire Old National Bancshares, Inc., 235 North Elm Street, Centralia, Illinois 62801.

Interested persons who desire to comment on this proposed acquisition may submit their comments in writing no later than 14 days after the publication of this notice to either:

Jerry D. Cavanaugh
Thomas W. Stephans
Commissioner of Banks and Trust Companies
Room 100 Reisch Building
117 South Fifth Street
Springfield, Illinois 62701.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of October 23, 1991 through October 29, 1991, and have been scheduled for review by the Committee at its November 19, 1991 meeting. Other items not contained in this published list may also be considered by the Committee at its November meeting. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
12/8/91	Department on Aging, Community Care Program (89 Ill. Adm. Code 240)	12/14/90 14 Ill. Reg. 19415	11/19/91
12/8/91	Department on Aging, General Programmatic Requirements (89 Ill. Adm. Code 220)	12/14/90 14 Ill. Reg. 19442	11/19/91
12/8/91	Department on Aging, Older Americans Act Programs (89 Ill. Adm. Code 230)	12/14/90 14 Ill. Reg. 19469	11/19/91
12/9/91	Department of Rehabilitation Services, Client Financial Participation (89 Ill. Adm. Code 562)	8/9/91 15 Ill. Reg. 11399	11/19/91
12/9/91	Department of Rehabilitation Services, Illinois Children's School and Rehabilitation Center's Respite Program (89 Ill. Adm. Code 787)	9/6/91 15 Ill. Reg. 13027	11/19/91
12/9/91	Department of Central Management Services, Pay Plan (80 Ill. Adm. Code 310)	8/30/91 15 Ill. Reg. 12051	11/19/91
12/12/91	Department of Professional Regulation, The Professional Engineering Practice Act of 1989 (68 Ill. Adm. Code 1380)	6/14/91 15 Ill. Reg. 8631	11/19/91

PROCLAMATION

91-531
FOREST PRODUCTS WEEK

Whereas, the forest products industry continues to demonstrate an outstanding commitment to sound stewardship and environmental responsibility by utilizing our renewable forest resource through harvesting methods and the practical use of material removed from our forests; and

Whereas, the abundance of our forests will continue to supply wood for domestic consumption and meet our export commitments. The industry strives to maintain and improve the economic benefits to the citizens of Illinois while using forest resources effectively; and

Whereas, thousands are employed directly and indirectly by our forest products industry, generating jobs and economic growth while contributing nearly five percent of the total Illinois commerce. Primary industries include lumber, veneer, cooperage, piling, pulp, and fuel and employ more than 50,000 individuals; and

Whereas, the Illinois Department of Conservation, members of the wood industry and the woodland owners, through cooperative efforts, strengthen our economy and meet the increasing demand for wood fiber while protecting our environment;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 20-26, 1991, as FOREST PRODUCTS WEEK in Illinois.

Issued by the Governor October 20, 1991.
Filed with the Secretary of State October 24, 1991.

91-532
CURTIS WAYNE ROSS DAY

Whereas, Curtis Wayne Ross was born November 5, 1941; and

Whereas, Curtis has shown dedication, care, and love toward his wife, two daughters, and four grandchildren; and

Whereas, for 21 years, Curtis has been a devoted member of the First Christian Church of Oblong, where he currently serves as an elder; and

Whereas, he is a director of the Illinois Independent Stripper and Oil Royalty Association; and

Whereas, Curtis is known for his sense of humor and loves practical jokes; and

Whereas, this year Curtis is celebrating his 50th birthday;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 5, 1991, as CURTIS WAYNE ROSS DAY in Illinois and extend best wishes to him on his 50th birthday.

Issued by the Governor October 22, 1991.
Filed with the Secretary of State October 24, 1991.

91-533
FARM WOMEN'S MONTH

Whereas, agriculture is the economic hub of Illinois; and

Whereas, farm management and operations require vast amounts of time, energy, skill, and family support; and

Whereas, farm women are true partners with their families in the business of farming; and

Whereas, Illinois farm women should be recognized as valuable business partners to their farm families and for their efforts in promoting a better urban/rural understanding;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 1991 as FARM WOMEN'S MONTH in Illinois.

Issued by the Governor October 22, 1991.
Filed with the Secretary of State October 24, 1991.

91-534
HONOR ISRAEL DAY

Whereas, Israel, like our nation, was founded and developed by immigrants of many cultural and ethnical backgrounds; and

Whereas, the Israeli government, like that of the United States, is guided by the principles of democracy and equality; and

Whereas, Israel and our state have formed the Illinois-Israel Initiative, a partnership seeking opportunities and solutions to common challenges; and

Whereas, the Inititative established the Illinois-Israel Joint Committee to encourage cooperation between our state and Israel in the areas of trade, technology development, agriculture, science, communications, and tourism; and

Whereas, Israel should be given special recognition for its cooperative efforts;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 2, 1991, as HONOR ISRAEL DAY in Illinois.

Issued by the Governor October 22, 1991.
Filed with the Secretary of State October 24, 1991.

91-535
KEY CLUB WEEK

Whereas, Key Club International, a high school service organization sponsored by Kiwanis International, is observing November 3-9, 1991, as KEY CLUB WEEK; and

Whereas, the members of the Key Club are part of an international organization of more than 137,000 students dedicated to serve their schools and communities, seeking to give primacy to the human and spiritual rather than the material values of life; and

Whereas, in Illinois, there are approximately 4,500 high

school students working in 125 clubs throughout our state; and

Whereas, these students promote the adoption of higher standards in scholastics, sportsmanship, and social contacts and the development of a more concerned citizenship; and

Whereas, each member will perform at least 50 hours of service to his or her home, school, and community annually; and

Whereas, the 1991-92 theme and Major Emphasis Program, "Inspire Achievement," focuses on awareness of present social conditions and implementation of Key Club's fundamental ideals to build a better future; and

Whereas, the service provided by the Key Clubs will have a positive impact on our community and its citizens;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 3-9, 1991, as KEY CLUB WEEK in Illinois. I urge Illinoisans to show support for Key Club members, who are preparing themselves to be better, more responsible citizens as they provide meaningful service to our communities.

Issued by the Governor October 22, 1991.

Filed with the Secretary of State October 24, 1991.

91-536
NURSE PRACTITIONER WEEK

Whereas, nurse practitioners are registered professional nurses prepared through formal educational programs to provide advanced nursing care in an expanded role to individuals, families, and groups across the lifespan; and

Whereas, nurse practitioner care emphasizes wellness promotion and illness prevention, including management of acute minor and stable chronic illness; and

Whereas, nurse practitioners practice in settings such as health centers, clinics, health maintenance organizations, schools, hospitals, health departments, home care agencies, private and group health practices, college and university health facilities, nursing homes, day care centers, occupational settings, correctional facilities, and programs for the homeless; and

Whereas, more than 600 certified nurse practitioners are registered to practice in Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 3-9, 1991, as NURSE PRACTITIONER WEEK in Illinois, in recognition of the valuable services these caring individuals provide to our citzens.

Issued by the Governor October 22, 1991.

Filed with the Secretary of State October 24, 1991.

91-537
ROBERT H. MALOTT DAY

Whereas, Robert H. Malott is known for his outstanding

contributions to the business community, numerous civic organizations, and government advisory committees; and

Whereas, since he joined FMC Corporation in 1952, Bob has held sucessive line and staff management positions. He was first elected an officer of the corporation in 1966, was elected to the Board of Directors in 1970, and was elected President and Chief Executive Officer in 1972. He has served as Chairman of the Board since 1973; and

Whereas, during his tenure as Chairman of the Board and Chief Executive Officer of FMC, Bob modernized FMC's financial management systems, upgraded the management team, and redeployed assets to higher return businesses. In 1990, FMC achieved a return on investment greater than 15 percent for the seventh straight year. Over the past decade, FMC stock has nearly quadrupled in value; and

Whereas, Bob currently serves as a member of the board of directors of Amoco Corporation and United Technologies Corporation; and

Whereas, he has given unselfishly to a variety of business and civic organizations, including the Center for Strategic and International Studies International Councillors, Harvard Business School Board of Directors of the Associates, the Board of Directors of the Lyric Opera, the President's Circle of the National Academy of Science, the Business Council, and the Board of Overseers of the Hoover Institution; and

Whereas, working ardently to foster better relationships between government and the business community, he co-founded the Illinois Business Roundtable and serves as its charter chairman; and

Whereas, Bob will retire from the FMC Corporation and the Illinois Business Roundtable November 1, 1991;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 23, 1991, as ROBERT H. MALOTT DAY in Illinois in honor of the dedication Bob has shown to FMC Corporation, the business community, and the maintenance of sound relationships between business and government and for his zealousness in improving the quality of life for our citizens.

Issued by the Governor October 22, 1991.

Filed with the Secretary of State October 24, 1991.

91-538
IVAN AND GERI BRIGGS DAY

Whereas, Ivan Briggs, born May 22, 1916, and Leota Geraldine "Geri" Briggs, born January 3, 1923, were united in marriage November 2, 1941; and

Whereas, Ivan and Geri have been lifelong residents of Edwards County; and

Whereas, their marriage, built to last, endured Ivan's four-year service in the military and difficult economic times; and

Whereas, Ivan and Geri are the loving parents of Sandra Sue Steele, Marcella Ruth Brooks, and Dennis Allan Briggs. They have one grandchild, Teresa Ann Roseberry, and one great-grandchild, Tiffany Ann Roseberry; and

Whereas, Ivan and Geri are a source of warmth and friendship in their community; and

Whereas, this year, Ivan and Geri will be celebrating their 50th year of matrimony;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 2, 1991, as IVAN AND GERI BRIGGS DAY in Illinois and extend best wishes to them on the occasion of their 50th anniversary.

Issued by the Governor October 23, 1991.

Filed with the Secretary of State October 28, 1991.

91-539

SOLOMON SCHECHTER DAY SCHOOLS AND JEWISH FEDERATION DAY

Whereas, Solomon Schechter Day Schools strive to teach children to appreciate the richness of their Jewish heritage while fulfilling the goals of fully informed active American citizens; and

Whereas, Solomon Schechter Day Schools are educating children who may someday serve as our community leaders; and

Whereas, Solomon Schechter Day Schools are honoring the Jewish Federation of Metropolitan Chicago for working to meet the educational and social welfare needs of Jewish people in the United States, Israel, and around the world, as well as providing health care and vocational and resettlement leadership for our citizens; and

Whereas, the Solomon Schechter Day Schools' honoring of the Jewish Federation indicates intense interdependence and reciprocity between social welfare and education; and

Whereas, Solomon Schechter Day Schools are celebrating their 29th anniversary;

Therefore, I, Jim Edgar, Governor of the State of Illinois proclaim November 17, 1991, as SOLOMON SCHECHTER DAY SCHOOLS AND JEWISH FEDERATION DAY in Illinois.

Issued by the Governor October 25, 1991.

Filed with the Secretary of State October 28, 1991.

91-540

RICHLAND COMMUNITY COLLEGE TRUSTEE NEIL PISTORIUS DAY

Whereas, Illinois Community College District No. 537 of the counties of Macon, Christian, DeWitt, Logan, Moultrie, Piatt, Sangamon, and Shelby, commonly known as Richland Community College, is 20 years old; and

Whereas, Richland Community College has been meeting in an excellent and timely manner the educational needs of the

residents of their district; and

Whereas, since 1975, Neil E. Pistorius has served with honor and distinction as a member of the Board of Trustees of Richland Community College; and

Whereas, Neil has been a strong, guiding influence in the establishment of Richland Community College's permanent campus and Richland's reputation as one of the best community colleges in our state; and

Whereas, Neil is retiring from the Board of Trustees of Richland Community College, effective with the occurrence of the November 1991 board election;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 1, 1991, as RICHLAND COMMUNITY COLLEGE TRUSTEE NEIL PISTORIUS DAY in Illinois, in appreciation of Neil's countless hours of devotion and service to Richland Community College.

Issued by the Governor October 25, 1991.

Filed with the Secretary of State October 28, 1991.

JCAR - Joint Committee on Administrative Rules

ACTION CODES

A – Adopted Rule
AR – Adopted Repealer
C – Notice of Corrections
CC – Codification Changes
E – Emergency Rule
ER – Emergency Repealer
M – Modification to meet JCAR objections
O – JCAR Statement of Objections
P – Proposed Rule
PF – Prohibited Filing Ordered by JCAR
PP – Peremptory or Court ordered Rules
PR – Proposed Repealer
R – Refusal to meet JCAR objection
RC – Statement of Recommendation
S – Suspension ordered by JCAR
W – Withdrawal to meet JCAR objections

EXAMPLE:

AGRICULTURE, DEPARTMENT OF
8 Ill. Adm. Code 285 Ill. Grain Insurance Act (P-18048/85; A-6818)

TITLE – PART – ACTION CODE – PAGE NUMBER – PREVIOUS VOLUME – PAGE NUMBER – ACTION CODE

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

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62 Ill. Adm. Code 2501 Abandoned Mined Lands Reclamation (P-141; A-6513)

AGING, DEPARTMENT ON
89 Ill. Adm. Code 240 Community Care Program (E-2838; A-10351) (P-18635/90; A-10351) (P-14335) (E-14593)

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8 Ill. Adm. Code 255 Agrichemical Facilities (E-128)
8 Ill. Adm. Code 270 Ill. State Fair & DuQuoin State Fair, Non-Fair Space Rental & the General Operation of the State Fairgrounds (P-10965/90; A-455)
8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-620; W-1574) (P-1583) (PP-3117) (PP-8714) (P-1583; A-8801) (PP-13976)
2 Ill. Adm. Code 700 Organizational Chart, Description, Rulemaking Procedure, & Programs (A-6105)
8 Ill. Adm. Code 290 Standardbred & Thoroughbred Horse Breeding & Racing Programs (P-19087/90; A-5207)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF
77 Ill. Adm. Code 2030 Award & Monitoring of Funds (P-9083)
77 Ill. Adm. Code 2031 Award Criteria & Procedure (PR-9149)
77 Ill. Adm. Code 2030 Fiscal & Programmatic Requirements (PR-9153)
77 Ill. Adm. Code 2058 Licensure of Alcoholism & Substance Abuse Treatment, Intervention & Research Programs (P-6457/90; A-2597) (P-8837; A-13708)
77 Ill. Adm. Code 2090 Subacute Alcoholism & Substance Abuse Treatment Services (P-9785; E-10222; C-11343)
77 Ill. Adm. Code 2032 Suspension & Termination of Financial Assistance (PR-9218)

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14 Ill. Adm. Code 475 Motor Vehicle Advertising (P-6343)

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74 Ill. Adm. Code 420 Code of Regs. (P-15645/90; A-3429)

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38 Ill. Adm. Code 307 Acquisition of Former Main Banking Premises or Branches of Eligible Depository Institutions (P-3611)
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38 Ill. Adm. Code 397 Corporate Fiduciary Receivership Account (P-15181/90; A-167)
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80 Ill. Adm. Code 302 Merit & Fitness (P-11859)
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44 Ill. Adm Code 5030 Personal Use of State Telephones (P-1203; A-8843)
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83 Ill. Adm. Code 285 Standard Filing Requirements for Electric, Gas, Water & Sewer Utilities & Telecommunications Carriers in Filing for an Increase in Rates (P-9807; A-16050)
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83 Ill. Adm. Code 757 Telephone Assistance Programs (PR-4803; RC-5111; AR-11926) (ER-5082)
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The Sections Affected Index lists, by Title, each Section of a codified Part on which rulemaking activity has occurred in this volume of the Register and is divided into two parts: the first lists the Sections on which rulemaking occurred in the previous issues of this volume year; the second lists the Sections on which rulemaking activity occurred in this issue of the Register. (The headings at the top of each page indicate the two parts: the first part shows the previous issue numbers inclusively and the date of the last published issue; the second lists the current issue number and date.) The columns in both parts indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume (calendar year) of the Register was proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash. (e.g. 1 Ill. Adm. Code 100.280 was proposed last year and adopted this year. The action entry reads: (P-8577/89; A-724) The codes for both columns are listed below. For a complete listing of the Titles of the *Illinois Administrative Code*, please refer to 1 Ill. Adm. Code 100.140 or contact the Administrative Code Division.

TYPE OF RULEMAKING

- am = amendment to existing Section
- cc = codification changes
- n = new Section
- r = repeal of existing Section
- rc = recodified
- # = renumbered

ACTION CODES

- A = Adopted rule
- C = Correction
- CC = Codification Changes
- E = Emergency rule
- F = Failure to Remedy Objections
- M = Modification
- O = JCAR Objection
- P = Proposed rule
- PF = Prohibited Filing
- PP = Peremptory rule
- R = Refusal to Modify or Withdraw
- RC = JCAR Recommendation
- S = Suspended rule
- W = Withdrawal of Proposed rule

TITLE 1

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100.260	am	(P-7522; A-13939)
100.270	am	(P-7522; A-13939)
100.280	am	(P-7522; A-13939)
100.310	am	(P-7522; A-13939)
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100.350	am	(P-7522; A-13939)
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100.550	am	(P-7522; A-13939)
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100.680	am	(P-7522; A-13939)
100.735	am	(P-7522; A-13939)
100.740	am	(P-7522; A-13939)
100.900	am	(P-7522; A-13939)
100.1010	am	(P-7522; A-13939)
100.1020	am	(P-7522; A-13939)
100.1100	am	(P-7522; A-13939)
100.1150	am	(P-7522; A-13939)
100.1200	am	(P-7522; A-13939)
100.1210	am	(P-7522; A-13939)

TITLE 2

700.40	am	(A-6105)
700.100	am	(A-6105)
700.130	am	(A-6105)
700.140	am	(A-6105)
700.150	am	(A-6105)
2025.120	n	(A-7897)
2375.110	am	(A-1571)
2650.10	n	(A-2660)
2650.20	n	(A-2660)
2650.30	n	(A-2660)
2650.40	n	(A-2660)
2650.50	n	(A-2660)
2650.60	n	(A-2660)
2650.100	n	(A-2660)
2650.200	n	(A-2660)
2650.205	n	(A-2660)
2650.210	n	(A-2660)
2650.220	n	(A-2660)
2650.300	n	(A-2660)
2650.310	n	(A-2660)
2650.311	n	(A-2660)
2650.312	n	(A-2660)
2650.313	n	(A-2660)
2650.314	n	(A-2660)
2650.320	n	(A-2660)
2650.330	n	(A-2660)
2650.340	n	(A-2660)
2650.400	n	(A-2660)
2650.410	n	(A-2660)
2650.II.A	n	(A-2660)
2650.II.B	n	(A-2660)

TITLE 8

125.10	am	(PP-620; W-1574) (P-1583; A-8801)
125.30	am	(PP-620; W-1574) (P-1583; A-8801)
125.40	am	(PP-620; W-1574) (P-1583; A-8801)
125.50	am	(PP-620; W-1574) (P-1583; A-8801)
125.60	am	(PP-620; W-1574) (P-1583; A-8801)
125.80	am	(PP-620; W-1574) (P-1583; A-8801)
125.90	am	(PP-620; W-1574) (P-1583; A-8801)
125.100	am	(PP-620; W-1574) (P-1583; A-8801)
125.110	am	(PP-620; W-1574) (P-1583; A-8801)
125.120	am	(PP-620; W-1574) (P-1583; A-8801)
125.130	am	(PP-620; W-1574) (P-1583; A-8801)
125.140	am	(PP-620; W-1574) (P-1583; A-8801)
125.150	am	(PP-620; W-1574) (P-1583; A-8801)
125.160	am	(PP-620; W-1574) (P-1583; A-8801)
125.170	am	(PP-620; W-1574) (P-1583; A-8801)
125.180	am	(PP-620; W-1574) (P-1583; A-8801)
125.190	am	(PP-620; W-1574) (P-1583; A-8801)
125.200	am	(PP-620; W-1574) (P-1583; A-8801)
125.210	am	(PP-620; W-1574) (P-1583; A-8801)
125.220	am	(PP-620; W-1574) (P-1583; A-8801)
125.230	am	(PP-620; W-1574) (P-1583; A-8801)
125.240	am	(PP-620; W-1574) (P-1583; A-8801)
125.250	am	(PP-620; W-1574) (P-1583; A-8801)
125.260	am	(PP-620; W-1574) (P-1583; A-8801) (PP-3117) (PP-8714) (PP-13976)
125.270	am	(PP-620; W-1574) (P-1583; A-8801)
125.280	am	(PP-620; W-1574) (P-1583; A-8801) (PP-13976)
125.290	am	(PP-620; W-1574) (P-1583; A-8801)
125.300	am	(PP-620; W-1574) (P-1583; A-8801)

TITLE 8 (CONT'D)

125.305	am	(PP-620; W-1574) (P-1583; A-8801)
125.310	am	(PP-620; W-1574) (P-1583; A-8801)
125.320	am	(PP-620; W-1574) (P-1583; A-8801)
125.330	am	(PP-620; W-1574) (P-1583; A-8801)
125.340	am	(PP-620; W-1574) (P-1583; A-8801)
125.350	am	(PP-620; W-1574) (P-1583; A-8801)
125.360	am	(PP-620; W-1574) (P-1583; A-8801)
125.370	am	(PP-620; W-1574) (P-1583; A-8801)
125.380	am	(PP-620; W-1574) (P-1583; A-8801) (PP-3117) (PP-8714)
125.390	am	(P-1583; A-8801)
125.400	am	(PP-620; W-1574) (P-1583; A-8801)
125.410	am	(PP-620; W-1574) (P-1583; A-8801)
255.50	am	(E-128)
270.261	am	(P-10965/90; A-455)
290.110	am	(P-19087/90; A-5207)

TITLE 11

204.20	am	(P11394; W-14149)
204.40	am	(P11394; W-14149)
204.70	am	(P11394; W-14149)
204.130	am	(P11394; W-14149)
404.35	n	(P-10348)
405.170	r	(P-8957/90; A-591)
405.180	a,	(P-8518; A-13933)
405.250	n	(P-12389/90; A-2733)
416.80	r	(P-6979; A-11994)
417.80	r	(P-6988; A-12001)
418.100	r	(P-6985; A-12003)
419.90	r	(P-6976; A-11992)
421.40	am	(P-19699/90; A-5752)
421.80	am	(P-8150; A-15747)
421.100	n	(P-19699/90; A-5752)
433.35	am	(P-12393/90; A-2736)
436.5	n	(E-12944) (P-15655)
436.10	r	(E-12944) (P-15655)
436.20	am	(E-12944) (P-15655)
436.30	am	(E-12944)
436.30	r	(P-15655)
436.40	r	(E-12944) (P-15655)
436.50	r	(E-12944) (P-15655)
436.60	am	(P-15655)
436.70	r	(E-12944)
436.70	am	(P-15655)
436.80	r	(P-15655)
436.90	r	(E-12944) (P-15655)
436.100	am	(P-15655)
436.110	am	(E-12944) (P-15655)
436.120	am	(E-12944)
436.120	r	(P-15655)
436.130	am	(E-12944) (P-15655)
436.140	r	(E-12944) (P-15655)
438.30	am	(P-5012; A-11996)
438.80	r	(P-6982; A-11996)
438.90	am	(P-5012; A-11996)
440.10	n	(P-8975/90; A-3492)
440.20	n	(P-8975/90; A-3492)
440.20	am	(P-8152; A-13936)
440.30	n	(P-8975/90; A-3492)
440.40	n	(P-8975/90; A-3492)
440.50	n	(P-8975/90; A-3492)
440.60	n	(P-8975/90; A-3492)
440.70	n	(P-8975/90; A-3492)
440.80	n	(P-8975/90; A-3492)
440.90	n	(P-8975/90; A-3492)
440.90	am	(P-8152; A-13936)
440.100	n	(P-8975/90; A-3492)
440.110	n	(P-8975/90; A-3492)
440.120	n	(P-8975/90; A-3492)
440.130	n	(P-8975/90; A-3492)
440.130	am	(P-8152; A-13936)
440.140	n	(P-8975/90; A-3492)
440.150	n	(P-8975/90; A-3492)
502.76	am	(P-5609; A-11985)
509.100	am	(P-5614; A-11989)
720.100	n	(P-19703/90; A-5755)
1303.70	am	(P-13704)
1312.265	am	(P-14750/90; A-2727)
1318.180	n	(P-15388) (E-15610)
1318.190	n	(P-15388) (E-15610)
1325.120	am	(P-19694/90; A-5748)
1408.90	am	(P-16843/90; A-5745)
1413.48	am	(P-12385/90; A-2730)
1424.140	n	(P-10691/90; A-20545/90; C-2044)
1424.355	am	(P-19690/90; W-1173)

TITLE 14

130.110	am	(P-14209) (E-14303; (C-15182)
475.110	n	(P-6343)
475.210	n	(P-6343)
475.220	n	(P-6343)
475.230	n	(P-6343)
475.240	n	(P-6343)
475.250	n	(P-6343)
475.260	n	(P-6343)
475.310	n	(P-6343)
475.320	n	(P-6343)
475.330	n	(P-6343)
475.340	n	(P-6343)
475.350	n	(P-6343)
475.360	n	(P-6343)
475.370	n	(P-6343)
475.380	n	(P-6343)
475.390	n	(P-6343)
475.410	n	(P-6343)
475.420	n	(P-6343)
475.510	n	(P-6343)
475.520	n	(P-6343)
475.530	n	(P-6343)
475.540	n	(P-6343)
475.550	n	(P-6343)
475.560	n	(P-6343)
475.570	n	(P-6343)

TITLE 14 (CONT'D)

475.580	n	(P-6343)
475.590	n	(P-6343)
475.610	n	(P-6343)
475.620	n	(P-6343)
475.630	n	(P-6343)
475.640	n	(P-6343)
475.710	n	(P-6343)
475.720	n	(P-6343)
510.10	am	(P-677; A-8848)
510.20	am	(P-677; A-8848)
510.40	am	(P-677; A-8848)
510.50	am	(P-677; A-8848)
510.60	am	(P-677; A-8848)
510.70	am	(P-677; A-8848)
510.80	am	(P-677; A-8848)
510.85	n	(A-8848)
510.110	n	(P-13072/90; A-2673)
510.120	n	(P-13072/90; A-2673)
510.130	n	(P-13072/90; A-2673)
510.140	n	(P-13072/90; A-2673)
510.150	n	(P-13072/90; A-2673)
510.160	n	(P-13072/90; A-2673)
510.170	n	(P-13072/90; A-2673)
510.175	n	(P-13072/90; A-2673)
510.180	n	(P-13072/90; A-2673)
510.185	n	(P-13072/90; A-2673)
510.190	n	(P-13072/90; A-2673)
510.195	n	(P-13072/90; A-2673)
510.200	n	(P-13072/90; A-2673)
510.205	n	(P-13072/90; A-2673)
520.315	n	(P-13060/90; A-8683)
520.740	am	(P-13060/90; A-8683)
520.800	r	(P-13060/90; A-8683)
520.810	r	(P-13060/90; A-8683)
520.820	r	(P-13060/90; A-8683)
520.830	r	(P-13060/90; A-8683)
520.900	am	(P-9787)
520.910	am	(P-13060/90; A-8683)
520.930	am	(P-9787)
520.1010	am	(P-13060/90; A-8683)
520.1100	n	(P-9787)
520.1110	n	(P-9787)
520.1120	n	(P-9787)
520.1130	n	(P-9787)
520.1140	n	(P-9787)
540.110	n	(P-11022/90; A-973)
540.120	n	(P-11022/90; A-973)
540.130	n	(P-11022/90; A-973)
540.140	n	(P-11022/90; A-973)
540.150	n	(P-11022/90; A-973)
540.160	n	(P-11022/90; A-973)
540.170	n	(P-11022/90; A-973)
540.180	n	(P-11022/90; A-973)
540.190	n	(P-11022/90; A-973)
545.315	am	(P-3620; A-15040)
545.320	am	(P-3620; A-15040)
545.325	am	(P-3620; A-15040)
545.330	am	(P-3620; A-15040)
545.345	am	(P-3620; A-15040)
545.350	am	(P-3620; A-15040)
545.355	am	(P-3620; A-15040)
545.360	am	(P-3620; A-15040)
550.20	am	(P-8782/90; A-1798)
550.30	am	(P-8782/90; A-1798)
550.35	am	(P-8782/90; A-1798) (P-10249) (E-10498; C-11014)
550.40	am	(P-8782/90; A-1798)
550.50	am	(P-8782/90; A-1798)
570.10	am	(P-4528; A-9902)
570.20	am	(P-4528; A-9902)
570.25	am	(P-4528; A-9902)
570.30	am	(P-4528; A-9902)
570.40	am	(P-4528; A-9902)
570.50	am	(P-4528; A-9902)
570.60	am	(P-4528; A-9902)
570.70	am	(P-4528; A-9902)
640.5	n	(P-13391/90; A-7558)
640.10	n	(P-13391/90; A-7558)
640.20	n	(P-13391/90; A-7558)
640.30	n	(P-13391/90; A-7558)
640.40	n	(P-13391/90; A-7558)
640.50	n	(P-13391/90; A-7558)
640.60	n	(P-13391/90; A-7558)
640.70	n	(P-13391/90; A-7558)
640.80	n	(P-13391/90; A-7558)
640.90	n	(P-13391/90; A-7558)
640.100	n	(P-13391/90; A-7558)
640.110	n	(P-13391/90; A-7558)
640.120	n	(P-13391/90; A-7558)
640.130	n	(P-13391/90; A-7558)
640.140	n	(P-13391/90; A-7558)
640.150	n	(P-13391/90; A-7558)
640.160	n	(P-13391/90; A-7558)
640.170	n	(P-13391/90; A-7558)
640.180	n	(P-13391/90; A-7558)
640.190	n	(P-13391/90; A-7558)
640.200	n	(P-13391/90; A-7558)
640.210	n	(P-13391/90; A-7558)
640.220	n	(P-13391/90; A-7558)
640.230	n	(P-13391/90; A-7558)
640.240	n	(P-13391/90; A-7558)
640.250	n	(P-13391/90; A-7558)
640.260	n	(P-13391/90; A-7558)
640.270	n	(P-13391/90; A-7558)
640.280	n	(P-13391/90; A-7558)
640.290	n	(P-13391/90; A-7558)
640.300	n	(P-13391/90; A-7558)
640.310	n	(P-13391/90; A-7558)
640.320	n	(P-13391/90; A-7558)
640.330	n	(P-13391/90; A-7558)
640.340	n	(P-13391/90; A-7558)
640.350	n	(P-13391/90; A-7558)
1220.100	n	(P-8747)
1220.110	n	(P-8747)
1220.120	n	(P-8747)
1220.130	n	(P-8747)
1220.140	n	(P-8747)
1220.150	n	(P-8747)
1220.160	n	(P-8747)
1220.200	n	(P-8747)
1220.210	n	(P-8747)
1220.220	n	(P-8747)
1220.230	n	(P-8747)
1220.240	n	(P-8747)
1220.250	n	(P-8747)

TITLE 14 (CONT'D)

1220.300	n	(P-8747)
1220.310	n	(P-8747)
1220.320	n	(P-8747)
1220.330	n	(P-8747)
1220.400	n	(P-8747)
1220.410	n	(P-8747)
1220.500	n	(P-8747)
1220.510	n	(P-8747)
1220.520	n	(P-8747)

TITLE 17

110.5	am	(P-10251; A-14423)
110.175	n	(P-10251; A-14423)
115.30	am	(P-3365; A-9948)
220.20	am	(P-16182/90; A-1495)
220.30	am	(P-16182/90; A-1495)
220.40	am	(P-16182/90; A-1495)
220.50	am	(P-16182/90; A-1495) (P-9233; A-14418)
220.60	am	(P-16182/90; A-1495)
220.70	am	(P-16182/90; A-1495)
510.10	am	(P-4829; A-9966)
525.10	n	(P-18397/90; A-4149)
525.20	n	(P-18397/90; A-4149)
525.30	n	(P-18397/90; A-4149)
525.30	am	(P-15647)
525.40	n	(P-18397/90; A-4149)
525.Ex. A	n	(P-18397/90; A-4149)
530.20	am	(P-4805; A-9924)
530.80	am	(P-4805; A-9924) (P-12086) (E-16124)
530.90	am	(P-4805; A-9924)
530.100	am	(P-4805; A-9924)
530.105	am	(P-4805; A-9924) (P-12086) (E-16124)
530.110	am	(P-4805; A-9924)
530.120	am	(P-4805; A-9924)
550.10	am	(P-6823; A-11598)
550.20	am	(P-6823; A-11598)
550.30	am	(P-6823; A-11598)
570.20	am	(P-6811; A-11586)
570.30	am	(P-6811; A-11586)
570.40	am	(P-6811; A-11586)
590.10	am	(P-7809; A-13293) (P-14157)
590.20	am	(P-7809; A-13293) (P-14157)
590.25	am	(P-7809; A-13293)
590.30	am	(P-7809; A-13293)
590.40	am	(P-7809; A-13293)
590.50	am	(P-7809; A-13293)
590.60	am	(P-7809; A-13293) (P-14157)
590.Ex.A	r	(P-7809; A-13293)
650.10	am	(P-4853; A-10038)
650.20	am	(P-4853; A-10038)
650.22	am	(P-4853; A-10038)
650.23	am	(P-4853; A-10038)
650.30	am	(P-4853; A-10038)
650.40	am	(P-4853; A-10038)
650.60	am	(P-4853; A-10038) (E-15790)
660.10	n	(P-19123/90; A-4777)
660.10	am	(P-6851; A-11627)
660.20	n	(P-19123/90; A-4777)
660.20	am	(P-6851; A-11627)
660.21	n	(P-19123/90; A-4777)
660.21	am	(P-6851; A-11627)
660.25	n	(P-19123/90; A-4777)
660.25	am	(P-6851; A-11627)
660.30	n	(P-19123/90; A-4777)
660.30	am	(P-6851; A-11627)
660.40	n	(P-19123/90; A-4777)
660.40	am	(P-6851; A-11627)
660.45	n	(P-6851; A-11627)
660.50	n	(P-19123/90; A-4777)
660.60	n	(P-6851; A-11627)
670.10	am	(P-4836; A-10021)
670.20	am	(P-4836; A-10021)
670.30	am	(P-4836; A-10021)
670.40	am	(P-4836; A-10021)
670.60	am	(P-4836; A-10021) (P-10255)
680.10	n	(P-8107; A-13353)
680.20	n	(P-8107; A-13353)
680.30	n	(P-8107; A-13353)
680.40	n	(P-8107; A-13353)
680.50	n	(P-8107; A-13353)
680.60	n	(P-8107; A-13353)
680.70	n	(P-8107; A-13353)
690.20	am	(P-4214; A-10012)
690.30	am	(P-4214; A-10012)
710.10	am	(P-18409/90; A-4161) (P-14833)
710.20	am	(P-18409/90; A-4161) (P-14833)
710.21	n	(P-14833)
710.30	am	(P-18409/90; A-4161) (P-14833)
710.50	am	(P-18409/90; A-4161) (P-14833)
710.60	am	(P-18409/90; A-4161)
715.10	am	(P-6842; A-11618)
715.20	am	(P-6842; A-11618)
715.30	am	(P-6842; A-11618)
715.40	am	(P-6842; A-11618)
720.10	am	(P-6836; A-11611)
720.30	am	(P-6836; A-11611)
720.40	am	(P-6836; A-11611)
730.10	am	(P-4200; A-9951)
730.20	am	(P-4200; A-9951)
730.30	am	(P-4200; A-9951
740.10	am	(P-4222; A-10057)
740.20	am	(P-4222; A-10057)
810.30	r	(P-18905/90; A-4699)
810.35	n	(P-18905/90; A-4699)
810.35	am	(P-8101; A-13347)
810.37	n	(P-18905/90; A-4699)
810.40	r	(P-18905/90; A-4699)
810.45	n	(P-18905/90; A-4699)
810.45	am	(P-5160; A-9977) (E-5430)
810.50	am	(P-18905/90; A-4699)
810.70	am	(P-18905/90; A-4699)
830.05	n	(P-2057; RC-8314; A-8544)
830.20	am	(P-2057; RC-8314; A-8544)
830.60	am	(P-2057; RC-8314; A-8544)
830.70	am	(P-2057; RC-8314; A-8544)
830.80	am	(P-2057; RC-8314; A-8544)
830.90	am	(P-2057; RC-8314; A-8544)
880.10	n	(P-13603)

TITLE 17 (CONT'D)

880.20	n	(P-13603)
880.30	n	(P-13603)
880.40	n	(P-13603)
880.50	n	(P-13603)
950.40	am	(P-6807; A-11581)
950.50	am	(P-6807; A-11581)
1010.30	am	(P-13594)
1070.20	am	(P-7855; A-13341)
1535.10	n	(P-20117/90; A-5219)
1590.50	am	(P-16174/90; A-32)
1590.70	am	(P-11359)
1590.80	am	(P-16174/90; A-32) (P-11359)
1590.90	am	(P-16174/90; A-32)
1590.100	am	(P-11359)
1590.110	am	(P-11359)
2520.50	am	(P-725; A-7653)
2550.10	am	(P-3655; A-9973)
2550.15	n	(P-3655; A-9973)
3010.40	am	(P-14794)
3010.50	am	(P-14794)
3010.70	am	(P-14794)
3010.80	am	(P-14794)
3020.20	am	(P-14820)
3020.40	am	(P-14820)
3020.50	am	(P-14820)
3020.70	am	(P-14820)
3020.80	am	(P-14820)
3030.30	am	(P-14807)
3030.50	am	(P-14807)
3030.60	am	(P-14807)
3035.10	am	(P-18365/90; A-4117)
3035.30	am	(P-18365/90; A-4117)
3035.40	am	(P-18365/90; A-4117) (P-14783)
3035.50	am	(P-18365/90; A-4117)
3035.60	am	(P-18365/90; A-4117)
3035.70	am	(P-18365/90; A-4117) (P-14783)
3035.80	am	(P-18365/90; A-4117) (P-14783)
3040.Ap. B	n	(P-18380/90; A-4132)
3040.Ap. C	n	(P-18380/90; A-4132)
3040.Ap. D	n	(P-18380/90; A-4132)
3040.Ap. E	n	(P-18380/90; A-4132)
3040.Ap. F	n	(P-18380/90; A-4132)
3040.Ap. G	n	(P-18380/90; A-4132)
4160.10	n	(P-1680; A-10596)
4160.20	n	(P-1680; A-10596)
4160.30	n	(P-1680; A-10596)
4160.40	n	(P-1680; A-10596)
4160.50	n	(P-1680; A-10596)
4160.60	n	(P-1680; A-10596)
4160.70	n	(P-1680; A-10596)
4160.80	n	(P-1680; A-10596)
4160.90	n	(P-1680; A-10596)
4160.100	n	(P-1680; A-10596)
4160.110	n	(P-1680; A-10596)
4160.120	n	(P-1680; A-10596)
4160.130	n	(P-1680; A-10596)
4160.140	n	(P-1680; A-10596)
4160.150	n	(A-10596)
4160.160	n	(P-1680; A-10596)
4160.170	n	(P-1680; A-10596)
4160.180	n	(P-1680; A-10596)
4170.100	n	(P-15209)
4170.110	n	(P-15209)
4170.200	n	(P-15209)
4170.210	n	(P-15209)
4170.300	n	(P-15209)
4170.310	n	(P-15209)
4170.320	n	(P-15209)
4170.330	n	(P-15209)
4170.340	n	(P-15209)
4170.400	n	(P-15209)
4170.410	n	(P-15209)
4170.420	n	(P-15209)
4170.430	n	(P-15209)
4170.440	n	(P-15209)
4170.500	n	(P-15209)
4170.600	n	(P-15209)
4170.610	n	(P-15209)
4170.620	n	(P-15209)
4170.630	n	(P-15209)
4170.640	n	(P-15209)
4170.650	n	(P-15209)
4170.700	n	(P-15209)
4170.710	n	(P-15209)
4170.720	n	(P-15209)

TITLE 20

107.140	n	(P-19507/90; A-5638)
405.10	am	(P-1; A-5642)
405.15	am	(P-1; A-5642)
405.17	am	(P-1; A-5642)
405.20	am	(P-1; A-5642)
405.30	am	(P-1; A-5642)
405.40	r	(P-1; A-5642)
405.50	am	(P-1; A-5642)
405.55	n	(P-1; A-5642)
405.60	am	(P-1; A-5642)
405.70	am	(P-1; A-5642)
415.15	am	(P-15228/90; A-988)
415.20	am	(P-15228/90; A-988)
415.30	am	(P-15228/90; A-988)
415.70	n	(P-15228/90; O-21107/90; R-1168; A-988)
460.10	am	(P-18421/90; A-3479)
460.12	am	(P-18421/90; A-3479)
460.15	am	(P-18421/90; A-3479)
460.20	am	(P-18421/90; A-3479)
460.30	am	(P-18421/90; A-3479)
460.40	am	(P-18421/90; A-3479)
460.50	am	(P-18421/90; A-3479)
460.60	am	(P-18421/90; A-3479)
460.70	am	(P-18421/90; A-3479)
460.80	am	(P-18421/90; A-3479)
460.90	am	(P-18421/90; A-3479)
502.20	am	(P-5935; A-11928)
701.270	am	(P-7861; A-13789)
1215.10	n	(P-12398/90; A-1107)
1215.20	n	(P-12398/90; A-1107)
1215.30	n	(P-12398/90; A-1107)
1215.40	n	(P-12398/90; A-1107)
1215.50	n	(P-12398/90; A-1107)
1225.10	n	(P-16847/90; A-5886)

TITLE 20 (CONT'D)

1225.20	n	(P-16847/90; A-5886)
1225.30	n	(P-16847/90; A-5886)
1225.40	n	(P-16847/90; A-5886)
1225.50	n	(P-16847/90; A-5886)
1560.10	n	(P-8800/90; A-7034)
1560.20	n	(P-8800/90; A-7034)
1560.30	n	(P-8800/90; A-7034)
1560.40	n	(P-8800/90; A-7034)
1560.50	n	(P-8800/90; A-7034)
1720.15	n	(P-15251)
1720.30	am	(P-16198/90; A-999)
1720.Ap.A	am	(P-16198/90; A-999)
1800.10	n	(E-8702)
1800.20	n	(E-8702)
1800.30	n	(E-8702)

TITLE 23

1.245	n	(P-6931/90; O-21110/90; M-2877; A-2692)
25.315	n	(P-10277)
54.310	am	(P-9237)
54.320	am	(P-9237)
54.330	am	(P-9237)
54.340	am	(P-9237)
54.350	am	(P-9237)
54.410	am	(P-9237)
54.420	am	(P-9237)
54.430	am	(P-9237)
54.440	am	(P-9237)
54.450	am	(P-9237)
220.10	n	(P-10288)
220.20	n	(P-10288)
220.30	n	(P-10288)
220.40	n	(P-10288)
220.50	n	(P-10288)
220.60	n	(P-10288)
220.70	n	(P-10288)
225.10	n	(P-10265)
225.20	n	(P-10265)
225.30	n	(P-10265)
225.40	n	(P-10265)
225.50	n	(P-10265)
225.60	n	(P-10265)
226.40	am	(P-11068/90; A-40)
226.520	am	(P-11068/90; A-40)
226.525	am	(P-11068/90; A-40)
226.552	am	(P-11068/90; A-40)
226.555	am	(P-11068/90; A-40)
226.560	am	(P-11068/90; A-40)
226.605	am	(P-11068/90; A-40)
226.612	r	(P-11068/90; A-40)
226.615	am	(P-11068/90; A-40)
226.620	r	(P-11068/90; A-40)
226.680	am	(P-11068/90; A-40)
226.684	am	(P-11068/90; A-40)
226.720	am	(P-11068/90; A-40)
226.730	am	(P-11068/90; A-40)
250.70	am	(P-11447/90; A-463)
350.10	am	(P-9250)
350.15	n	(P-9250)
350.20	r	(P-9250)
350.25	n	(P-9250)
350.30	r	(P-9250)
350.15	n	(P-9250)
1015.10	n	(P-14852)
1015.20	n	(P-14852)
1015.30	n	(P-14852)
1015.40	n	(P-14852)
1015.50	n	(P-14852)
1015.60	n	(P-14852)
1015.70	n	(P-14852)
1501.113	am	(P-18890/90; A-10929)
1501.301	am	(P-12980)
1501.305	am	(P-12980)
1501.508	am	(P-18890/90; A-10929)
1501.509	am	(P-18890/90; A-10929)
1501.515	am	(P-18890/90; A-10929)
1501.517	am	(P-18890/90; A-10929) (P-12980)
1501.601	am	(P-12980)
2400.20	am	(P-4550; A-10069)
2400.30	am	(P-4550; A-10069)
2400.50	am	(P-4550; A-10069)
2720.10	am	(P-15026)
2720.40	am	(P-15026)
2733.20	am	(E-15613)
2733.30	am	(E-15613)
2763.10	n	(E-15621)
2763.20	n	(E-15621)
2763.30	n	(E-15621)
2763.40	n	(E-15621)
2763.50	n	(E-15621)
2771.10	n	(E-15800)
2771.20	n	(E-15800)
2771.30	n	(E-15800)
2771.Ap.A	n	(E-15800)
2790.10	am	(P-5034; A-14264)
2790.20	am	(P-5034; A-14264)
2790.30	am	(P-5034; A-14264)
2790.40	am	(P-5034; A-14264)
2790.50	am	(P-5034; A-14264)
2790.60	am	(P-5034; A-14264)
2790.70	am	(P-5034; A-14264)
2790.80	am	(P-5034; A-14264)
2790.90	am	(P-5034; A-14264)
2790.100	am	(P-5034; A-14264)
2790.110	am	(P-5034; A-14264)
2790.120	am	(P-5034; A-14264)
2790.130	am	(P-5034; A-14264)
2790.140	n	(P-5034; A-14264)
2790.Ap.A	n	(P-5034; A-14264)
3030.50	am	(P-15968)
3040.100	am	(P-14050)
3040.110	am	(P-14050)
3040.200	am	(P-14050)
3040.210	am	(P-14050)
3040.220	am	(P-14050)
3040.230	am	(P-14050)
3040.240	am	(P-14050)
3040.260	am	(P-14050)

TITLE 26

100.30	r	(P-5939)
125.425	am	(P-5943)
207.110	n	(P-16709/90; A-14427)

TITLE 26 (CONT'D)

207.Ap.B	n	(P-16709/90; A-14427)
210.10	n	(P-3814/90; A-4450)
210.Ap.A	n	(P-3814/90; A-4450)

TITLE 32

310.10	am	(P-11450/90; A-10604)
310.20	am	(P-11450/90; A-10604)
310.30	am	(P-11450/90; A-10604)
310.40	am	(P-11450/90; A-10604)
310.50	am	(P-11450/90; A-10604)
310.80	am	(P-11450/90; A-10604)
310.81	n	(P-11450/90; A-10604)
310.82	n	(P-11450/90; A-10604)
310.90	am	(P-11450/90; A-10604)
310.130	am	(P-11450/90; A-10604)
310.Ap.C	n	(P-11450/90; A-10604)
330.10	am	(P-11471/90; A-10632)
330.30	am	(P-11471/90; A-10632)
330.200	am	(P-11471/90; A-10632)
330.220	am	(P-11471/90; A-10632)
330.240	am	(P-11471/90; A-10632)
330.250	am	(P-11471/90; A-10632)
330.260	am	(P-11471/90; A-10632)
330.270	am	(P-11471/90; A-10632)
330.280	am	(P-11471/90; A-10632)
330.310	am	(P-11471/90; A-10632)
330.320	am	(P-11471/90; A-10632)
330.340	am	(P-11471/90; A-10632)
330.400	am	(P-11471/90; A-10632)
330.900	am	(P-11471/90; A-10632)
330.Ap.B	am	(P-11471/90; A-10632)
330.Ap.C	r	(P-11471/90; A-10632)
330.Ap.D	am	(P-11471/90; A-10632)
330.Ap.G	n	(P-11471/90; A-10632)
330.Ap.H	n	(P-11471/90; A-10632)
331.10	am	(P-15672/90; A-90)
331.20	am	(P-15672/90; A-90)
331.30	am	(P-15672/90; A-90)
331.110	am	(P-15672/90; A-90)
331.120	am	(P-15672/90; A-90)
331.130	n	(P-15672/90; A-90)
331.200	am	(P-15672/90; A-90)
331.210	r	(P-15672/90; A-90)
331.310	am	(P-15672/90; A-90)
331.Ap.B	n	(P-15672/90; A-90)
331.Ap.C	n	(P-15672/90; A-90)
335.10	n	(P-11585/90; A-10763)
335.20	n	(P-11585/90; A-10763)
335.30	n	(P-11585/90; A-10763)
335.1010	n	(P-11585/90; A-10763)
335.1020	n	(P-11585/90; A-10763)
335.1030	n	(P-11585/90; A-10763)
335.1040	n	(P-11585/90; A-10763)
335.1050	n	(P-11585/90; A-10763)
335.1060	n	(P-11585/90; A-10763)
335.1070	n	(P-11585/90; A-10763)
335.1080	n	(P-11585/90; A-10763)
335.1090	n	(P-11585/90; A-10763)
335.2010	n	(P-11585/90; A-10763)
335.2020	n	(P-11585/90; A-10763)
335.2030	n	(P-11585/90; A-10763)
335.2040	n	(P-11585/90; A-10763)
335.2050	n	(P-11585/90; A-10763)
335.2060	n	(P-11585/90; A-10763)
335.2070	n	(P-11585/90; A-10763)
335.2080	n	(P-11585/90; A-10763)
335.2090	n	(P-11585/90; A-10763)
335.2100	n	(P-11585/90; A-10763)
335.2110	n	(P-11585/90; A-10763)
335.2120	n	(P-11585/90; A-10763)
335.2130	n	(P-11585/90; A-10763)
335.3010	n	(P-11585/90; A-10763)
335.4010	n	(P-11585/90; A-10763)
335.4020	n	(P-11585/90; A-10763)
335.4030	n	(P-11585/90; A-10763)
335.5010	n	(P-11585/90; A-10763)
335.5020	n	(P-11585/90; A-10763)
335.5030	n	(P-11585/90; A-10763)
335.6010	n	(P-11585/90; A-10763)
335.7010	n	(P-11585/90; A-10763)
335.7020	n	(P-11585/90; A-10763)
335.7030	n	(P-11585/90; A-10763)
335.7040	n	(P-11585/90; A-10763)
335.7050	n	(P-11585/90; A-10763)
335.8010	n	(P-11585/90; A-10763)
335.8020	n	(P-11585/90; A-10763)
335.8030	n	(P-11585/90; A-10763)
335.8040	n	(P-11585/90; A-10763)
335.8050	n	(P-11585/90; A-10763)
335.8060	n	(P-11585/90; A-10763)
335.8070	n	(P-11585/90; A-10763)
335.8080	n	(P-11585/90; A-10763)
335.8090	n	(P-11585/90; A-10763)
335.8100	n	(P-11585/90; A-10763)
335.8110	n	(P-11585/90; A-10763)
335.8120	n	(P-11585/90; A-10763)
335.8130	n	(P-11585/90; A-10763)
335.8140	n	(P-11585/90; A-10763)
335.8150	n	(P-11585/90; A-10763)
335.9010	n	(P-11585/90; A-10763)
335.9020	n	(P-11585/90; A-10763)
335.9030	n	(P-11585/90; A-10763)
335.9040	n	(P-11585/90; A-10763)
335.9050	n	(P-11585/90; A-10763)
335.9060	n	(P-11585/90; A-10763)
335.9070	n	(P-11585/90; A-10763)
335.9080	n	(P-11585/90; A-10763)
335.9090	n	(P-11585/90; A-10763)
335.9100	n	(P-11585/90; A-10763)
335.9120	n	(P-11585/90; A-10763)
335.9130	n	(P-11585/90; A-10763)
335.9140	n	(P-11585/90; A-10763)
335.9150	n	(P-11585/90; A-10763)
335.9160	n	(P-11585/90; A-10763)
335.9170	n	(P-11585/90; A-10763)
335.9180	n	(P-11585/90; A-10763)
335.9190	n	(P-11585/90; A-10763)
360.20	am	(P-6940/90; A-6180)
360.30	am	(P-6940/90; A-6180)
360.40	am	(P-6940/90; A-6180)
360.60	am	(P-6940/90; A-6180)
360.20	am	(P-6940/90; A-6180)
360.70	am	(P-6940/90; A-6180)
360.71	n	(P-6940/90; A-6180)
360.Ap.A	n	(P-6940/90; A-6180)

TITLE 32 (CONT'D)

360.II. A	n	(P-6940/90; A-6180)
360.II. B	n	(P-6940/90; A-6180)
360.Tb. C	am	(P-6940/90; A-6180)
370.10	r	(P-11653/90; RC-8316; A-10846)
370.20	r	(P-11653/90; RC-8316; A-10846)
370.25	r	(P-11653/90; RC-8316; A-10846)
370.30	r	(P-11653/90; RC-8316; A-10846)
370.40	r	(P-11653/90; RC-8316; A-10846)
401.20	am	(P-1390; A-7054)
401.30	am	(P-1390; A-7054)
401.40	am	(P-1390; A-7054)
401.50	am	(P-1390; A-7054)
401.60	am	(P-1390; A-7054)
401.70	am	(P-1390; A-7054)
401.80	am	(P-1390; A-7054)
401.100	am	(P-1390; A-7054)
401.110	am	(P-1390; A-7054)
401.130	am	(P-1390; A-7054)
401.140	am	(P-1390; A-7054)
401.Ap.A	n	(P-1390; A-7054)
401.Ap.B	n	(P-1390; A-7054)
606.20	am	(P-20573/90; A-8958)
606.30	am	(P-20573/90; A-8958)
606.60	am	(P-20573/90; A-8958)

TITLE 35

101.103	am	(P-9822)
201.102	am	(P-780)
201.401	am	(P-780)
211.101	am	(P-13627) (P-15875)
211.122	am	(P-4573; A-15673) (P-12697/90; A-5223) (P-6385; A-15564; C-16524) (P-8416/90; A-7901) (P-13627) (P-15875)
212.107	n	(P-13660)
212.108	n	(P-13660)
212.109	n	(P-13660)
212.110	am	(P-4668; A-15708) (P-13660)
212.111	am	(P-4668; A-15708)
212.113	am	(P-4668; A-15708) (P-13660)
212.205	am	(P-791)
212.302	am	(P-13660)
212.309	am	(P-13660)
212.316	n	(P-13660)
212.324	n	(P-13660)
212.362	n	(P-13660)
212.423	n	(P-4668; A-15708)
212.424	n	(P-4668; A-15708)
212.425	n	(P-13660)
212.443	am	(P-791)
212.458	n	(P-13660)
212.464	n	(P-13660)
212.II.D	n	(P-13660)
212.II.E	n	(P-13660)
212.II.F	n	(P-13660)
214.101	am	(P-11098/90; A-1017)
214.104	am	(P-11098/90; A-1017)
215.100	am	(P-3659; A-12217)
215.102	am	(P-8877/90; A-8018)
215.105	am	(P-8877/90; A-8018)
215.108	n	(P-6414) (P-8877/90; A-8018)
215.109	n	(P-6414; A-15595)
215.123	am	(P-768)
215.215	n	(P-11059)
215.480	am	(P-8877/90; A-8018)
215.481	am	(P-8877/90; A-8018)
215.482	am	(P-8877/90; A-8018)
215.483	am	(P-8877/90; A-8018)
215.484	am	(P-8877/90; A-8018)
215.485	am	(P-8877/90; A-8018)
215.486	am	(P-8877/90; A-8018)
215.487	am	(P-8877/90; A-8018)
215.488	am	(P-8877/90; A-8018)
215.489	#	(P-8877/90; A-8018)
215.489	n	(P-8877/90; A-8018)
215.490	#	(P-8877/90; A-8018)
215.490	am	(P-8877/90; A-8018)
215.581	am	(P-3659; A-12217)
215.585	am	(P-12701/90; A-3309)
218.100	n	(P-3675; A-12231)
218.101	n	(P-3675; A-12231)
218.102	n	(P-3675; A-12231)
218.103	n	(P-3675; A-12231)
218.104	n	(P-3675; A-12231)
218.105	n	(P-3675; A-12231)
218.106	n	(P-3675; A-12231)
218.107	n	(P-3675; A-12231)
218.108	n	(P-3675; A-12231)
218.109	n	(P-3675; A-12231)
218.110	n	(P-3675; A-12231)
218.111	n	(P-3675; A-12231)
218.112	n	(P-3675; A-12231)
218.121	n	(P-3675; A-12231)
218.122	n	(P-3675; A-12231)
218.123	n	(P-3675; A-12231)
218.124	n	(P-3675; A-12231)
218.125	n	(P-3675; A-12231)
218.126	n	(P-3675; A-12231)
218.141	n	(P-3675; A-12231)
218.142	n	(P-3675; A-12231)
218.143	n	(P-3675; A-12231)
218.144	n	(P-3675; A-12231)
218.181	n	(P-3675; A-12231)
218.182	n	(P-3675; A-12231)
218.183	n	(P-3675; A-12231)
218.184	n	(P-3675; A-12231)
218.185	n	(P-3675; A-12231)
218.186	n	(P-3675; A-12231)
218.204	n	(P-3675; A-12231)
218.205	n	(P-3675; A-12231)
218.206	n	(P-3675; A-12231)
218.207	n	(P-3675; A-12231)
218.208	n	(P-3675; A-12231)
218.209	n	(P-3675; A-12231)
218.210	n	(P-3675; A-12231)
218.211	n	(P-3675; A-12231)
218.301	n	(P-3675; A-12231)
218.302	n	(P-3675; A-12231)
218.303	n	(P-3675; A-12231)
218.304	n	(P-3675; A-12231)

TITLE 35 (CONT'D)

218.401	n	(P-3675; A-12231)
218.402	n	(P-3675; A-12231)
218.403	n	(P-3675; A-12231)
218.404	n	(P-3675; A-12231)
218.405	n	(P-3675; A-12231)
218.421	n	(P-3675; A-12231)
218.422	n	(P-3675; A-12231)
218.423	n	(P-3675; A-12231)
218.424	n	(P-3675; A-12231)
218.425	n	(P-3675; A-12231)
218.426	n	(P-3675; A-12231)
218.427	n	(P-3675; A-12231)
218.428	n	(P-3675; A-12231)
218.429	n	(P-3675; A-12231)
218.430	n	(P-3675; A-12231)
218.441	n	(P-3675; A-12231)
218.442	n	(P-3675; A-12231)
218.443	n	(P-3675; A-12231)
218.444	n	(P-3675; A-12231)
218.445	n	(P-3675; A-12231)
218.446	n	(P-3675; A-12231)
218.447	n	(P-3675; A-12231)
218.448	n	(P-3675; A-12231)
218.449	n	(P-3675; A-12231)
218.450	n	(P-3675; A-12231)
218.451	n	(P-3675; A-12231)
218.452	n	(P-3675; A-12231)
218.453	n	(P-3675; A-12231)
218.461	n	(P-3675; A-12231)
218.462	n	(P-3675; A-12231)
218.463	n	(P-3675; A-12231)
218.464	n	(P-3675; A-12231)
218.465	n	(P-3675; A-12231)
218.466	n	(P-3675; A-12231)
218.480	n	(P-3675; A-12231)
218.481	n	(P-3675; A-12231)
218.482	n	(P-3675; A-12231)
218.483	n	(P-3675; A-12231)
218.484	n	(P-3675; A-12231)
218.485	n	(P-3675; A-12231)
218.486	n	(P-3675; A-12231)
218.487	n	(P-3675; A-12231)
218.488	n	(P-3675; A-12231)
218.489	n	(P-3675; A-12231)
218.521	n	(P-3675; A-12231)
218.525	n	(P-3675; A-12231)
218.526	n	(P-3675; A-12231)
218.527	n	(P-3675; A-12231)
218.541	n	(P-3675; A-12231)
218.561	n	(P-3675; A-12231)
218.562	n	(P-3675; A-12231)
218.563	n	(P-3675; A-12231)
218.581	n	(P-3675; A-12231)
218.582	n	(P-3675; A-12231)
218.583	n	(P-3675; A-12231)
218.584	n	(P-3675; A-12231)
218.585	n	(P-3675; A-12231)
218.601	n	(P-3675; A-12231)
218.602	n	(P-3675; A-12231)
218.603	n	(P-3675; A-12231)
218.604	n	(P-3675; A-12231)
218.605	n	(P-3675; A-12231)
218.606	n	(P-3675; A-12231)
218.607	n	(P-3675; A-12231)
218.608	n	(P-3675; A-12231)
218.609	n	(P-3675; A-12231)
218.610	n	(P-3675; A-12231)
218.611	n	(P-3675; A-12231)
218.612	n	(P-3675; A-12231)
218.613	n	(P-3675; A-12231)
218.620	n	(P-3675; A-12231)
218.621	n	(P-3675; A-12231)
218.623	n	(P-3675; A-12231)
218.624	n	(P-3675; A-12231)
218.625	n	(P-3675; A-12231)
218.626	n	(P-3675; A-12231)
218.628	n	(P-3675; A-12231)
218.630	n	(P-3675; A-12231)
218.636	n	(P-3675; A-12231)
218.637	n	(P-3675; A-12231)
218.875	n	(P-3675; A-12231)
218.877	n	(P-3675; A-12231)
218.879	n	(P-3675; A-12231)
218.881	n	(P-3675; A-12231)
218.883	n	(P-3675; A-12231)
218.886	n	(P-3675; A-12231)
218.920	n	(P-3675; A-12231)
218.923	n	(P-3675; A-12231)
218.926	n	(P-3675; A-12231)
218.927	n	(P-3675; A-12231)
218.928	n	(P-3675; A-12231)
218.940	n	(P-3675; A-12231)
218.943	n	(P-3675; A-12231)
218.946	n	(P-3675; A-12231)
218.947	n	(P-3675; A-12231)
218.948	n	(P-3675; A-12231)
218.960	n	(P-3675; A-12231)
218.963	n	(P-3675; A-12231)
218.966	n	(P-3675; A-12231)
218.967	n	(P-3675; A-12231)
218.968	n	(P-3675; A-12231)
218.980	n	(P-3675; A-12231)
218.983	n	(P-3675; A-12231)
218.986	n	(P-3675; A-12231)
218.987	n	(P-3675; A-12231)
218.988	n	(P-3675; A-12231)
218.990	n	(P-3675; A-12231)
218.991	n	(P-3675; A-12231)
218.Ap. A	n	(P-3675; A-12231)
218.Ap. B	n	(P-3675; A-12231)
218.Ap. C	n	(P-3675; A-12231)
218.Ap. D	n	(P-3675; A-12231)
219.100	n	(P-3892; A-12491)
219.101	n	(P-3892; A-12491)
219.102	n	(P-3892; A-12491)
219.103	n	(P-3892; A-12491)
219.104	n	(P-3892; A-12491)
219.105	n	(P-3892; A-12491)
219.106	n	(P-3892; A-12491)
219.107	n	(P-3892; A-12491)
219.108	n	(P-3892; A-12491)
219.109	n	(P-3892; A-12491)
219.110	n	(P-3892; A-12491)
219.111	n	(P-3892; A-12491)
219.112	n	(P-3892; A-12491)

TITLE 35 (CONT'D)

219.121	n	(P-3892; A-12491)
219.122	n	(P-3892; A-12491)
219.123	n	(P-3892; A-12491)
219.124	n	(P-3892; A-12491)
219.125	n	(P-3892; A-12491)
219.126	n	(P-3892; A-12491)
219.127	n	(P-3892)
219.128	n	(P-3892)
219.141	n	(P-3892; A-12491)
219.142	n	(P-3892; A-12491)
219.143	n	(P-3892; A-12491)
219.144	n	(P-3892; A-12491)
219.181	n	(P-3892; A-12491)
219.182	n	(P-3892; A-12491)
219.183	n	(P-3892; A-12491)
219.184	n	(P-3892; A-12491)
219.185	n	(P-3892; A-12491)
219.186	n	(P-3892; A-12491)
219.204	n	(P-3892; A-12491)
219.205	n	(P-3892; A-12491)
219.206	n	(P-3892; A-12491)
219.207	n	(P-3892; A-12491)
219.208	n	(P-3892; A-12491)
219.209	n	(P-3892; A-12491)
219.210	n	(P-3892; A-12491)
219.211	n	(P-3892; A-12491)
219.301	n	(P-3892; A-12491)
219.302	n	(P-3892; A-12491)
219.303	n	(P-3892; A-12491)
219.304	n	(P-3892; A-12491)
219.401	n	(P-3892; A-12491)
219.402	n	(P-3892; A-12491)
219.403	n	(P-3892; A-12491)
219.404	n	(P-3892; A-12491)
219.405	n	(P-3892; A-12491)
219.421	n	(P-3892; A-12491)
219.422	n	(P-3892; A-12491)
219.423	n	(P-3892; A-12491)
219.424	n	(P-3892; A-12491)
219.425	n	(P-3892; A-12491)
219.426	n	(P-3892; A-12491)
219.427	n	(P-3892; A-12491)
219.428	n	(P-3892; A-12491)
219.429	n	(P-3892; A-12491)
219.430	n	(P-3892; A-12491)
219.441	n	(P-3892; A-12491)
219.442	n	(P-3892; A-12491)
219.443	n	(P-3892; A-12491)
219.444	n	(P-3892; A-12491)
219.445	n	(P-3892; A-12491)
219.446	n	(P-3892; A-12491)
219.447	n	(P-3892; A-12491)
219.448	n	(P-3892; A-12491)
219.449	n	(P-3892; A-12491)
219.450	n	(P-3892; A-12491)
219.451	n	(P-3892; A-12491)
219.452	n	(P-3892; A-12491)
219.453	n	(P-3892; A-12491)
219.461	n	(P-3892; A-12491)
219.462	n	(P-3892; A-12491)
219.463	n	(P-3892; A-12491)
219.464	n	(P-3892; A-12491)
219.465	n	(P-3892; A-12491)
219.466	n	(P-3892; A-12491)
219.480	n	(P-3892; A-12491)
219.481	n	(P-3892; A-12491)
219.482	n	(P-3892; A-12491)
219.483	n	(P-3892; A-12491)
219.484	n	(P-3892; A-12491)
219.485	n	(P-3892; A-12491)
219.486	n	(P-3892; A-12491)
219.487	n	(P-3892; A-12491)
219.488	n	(P-3892; A-12491)
219.489	n	(P-3892; A-12491)
219.521	n	(P-3892; A-12491)
219.525	n	(P-3892; A-12491)
219.526	n	(P-3892; A-12491)
219.527	n	(P-3892; A-12491)
219.541	n	(P-3892; A-12491)
219.561	n	(P-3892; A-12491)
219.562	n	(P-3892; A-12491)
219.563	n	(P-3892; A-12491)
219.581	n	(P-3892; A-12491)
219.582	n	(P-3892; A-12491)
219.583	n	(P-3892; A-12491)
219.584	n	(P-3892; A-12491)
219.585	n	(P-3892; A-12491)
219.601	n	(P-3892; A-12491)
219.602	n	(P-3892; A-12491)
219.603	n	(P-3892; A-12491)
219.604	n	(P-3892; A-12491)
219.605	n	(P-3892; A-12491)
219.606	n	(P-3892; A-12491)
219.607	n	(P-3892; A-12491)
219.608	n	(P-3892; A-12491)
219.609	n	(P-3892; A-12491)
219.610	n	(P-3892; A-12491)
219.611	n	(P-3892; A-12491)
219.612	n	(P-3892; A-12491)
219.613	n	(P-3892; A-12491)
219.620	n	(P-3892; A-12491)
219.621	n	(P-3892; A-12491)
219.623	n	(P-3892; A-12491)
219.624	n	(P-3892; A-12491)
219.625	n	(P-3892; A-12491)
219.626	n	(P-3892; A-12491)
219.628	n	(P-3892; A-12491)
219.630	n	(P-3892; A-12491)
219.636	n	(P-3892; A-12491)
219.637	n	(P-3892; A-12491)
219.875	n	(P-3892; A-12491)
219.877	n	(P-3892; A-12491)
219.879	n	(P-3892; A-12491)
219.881	n	(P-3892; A-12491)
219.883	n	(P-3892; A-12491)
219.886	n	(P-3892; A-12491)
219.920	n	(P-3892; A-12491)
219.923	n	(P-3892; A-12491)
219.926	n	(P-3892; A-12491)
219.927	n	(P-3892; A-12491)
219.928	n	(P-3892; A-12491)
219.940	n	(P-3892; A-12491)
219.943	n	(P-3892; A-12491)
219.946	n	(P-3892; A-12491)
219.947	n	(P-3892; A-12491)

TITLE 35 (CONT'D)

219.948	n	(P-3892; A-12491)
219.960	n	(P-3892; A-12491)
219.963	n	(P-3892; A-12491)
219.966	n	(P-3892; A-12491)
219.967	n	(P-3892; A-12491)
219.968	n	(P-3892; A-12491)
219.980	n	(P-3892; A-12491)
219.983	n	(P-3892; A-12491)
219.986	n	(P-3892; A-12491)
219.987	n	(P-3892; A-12491)
219.988	n	(P-3892; A-12491)
219.990	n	(P-3892; A-12491)
219.991	n	(P-3892; A-12491)
219.Ap. A	n	(P-3892; A-12491)
219.Ap. B	n	(P-3892; A-12491)
219.Ap. C	n	(P-3892; A-12491)
219.Ap. D	n	(P-3892; A-12491)
230.110	r	(P-741)
230.140	r	(P-741)
230.141	r	(P-741)
230.142	r	(P-741)
230.150	r	(P-741)
230.160	r	(P-741)
230.170	r	(P-741)
230.180	r	(P-741)
230.190	r	(P-741)
230.200	r	(P-741)
230.210	r	(P-741)
230.211	r	(P-741)
230.212	r	(P-741)
230.220	r	(P-741)
230.230	r	(P-741)
230.240	r	(P-741)
230.241	r	(P-741)
230.250	r	(P-741)
230.260	r	(P-741)
230.270	r	(P-741)
230.280	r	(P-741)
230.290	r	(P-741)
230.300	r	(P-741)
230.310	r	(P-741)
230.320	r	(P-741)
230.330	r	(P-741)
230.340	r	(P-741)
230.350	r	(P-741)
230.360	r	(P-741)
230.370	r	(P-741)
230.371	r	(P-741)
230.380	r	(P-741)
230.390	r	(P-741)
230.400	r	(P-741)
230.410	r	(P-741)
230.430	r	(P-741)
230.440	r	(P-741)
230.470	r	(P-741)
230.480	r	(P-741)
230.490	r	(P-741)
230.500	r	(P-741)
230.520	r	(P-741)
230.530	r	(P-741)
230.540	r	(P-741)
230.550	r	(P-741)
230.560	r	(P-741)
230.570	r	(P-741)
230.580	r	(P-741)
230.590	r	(P-741)
230.600	r	(P-741)
230.680	r	(P-741)
230.690	r	(P-741)
230.700	r	(P-741)
230.720	r	(P-741)
230.730	r	(P-741)
230.740	r	(P-741)
230.780	r	(P-741)
230.Tb.A	r	(P-741)
230.Tb.B	r	(P-741)
230.Ap.A	r	(P-741)
230.Ap.B	r	(P-741)
230.Ap.C	r	(P-741)
230.Ap.F	r	(P-741)
231.110	r	(P-730)
231.120	r	(P-730)
231.122	r	(P-730)
231.130	r	(P-730)
231.140	r	(P-730)
231.150	r	(P-730)
231.160	r	(P-730)
231.180	r	(P-730)
231.190	r	(P-730)
231.200	r	(P-730)
231.210	r	(P-730)
231.230	r	(P-730)
231.240	r	(P-730)
231.250	r	(P-730)
231.260	r	(P-730)
231.320	r	(P-730)
231.330	r	(P-730)
231.Tb.A	r	(P-730)
231.Ap.A	r	(P-730)
231.Ap.B	r	(P-730)
231.Ap.C	r	(P-730)
232.100	n	(P-14969)
232.110	n	(P-14969)
232.120	n	(P-14969)
232.130	n	(P-14969)
232.200	n	(P-14969)
232.210	n	(P-14969)
232.300	n	(P-14969)
232.310	n	(P-14969)
232.320	n	(P-14969)
232.400	n	(P-14969)
232.410	n	(P-14969)
232.500	n	(P-14969)
232.Ap. A	n	(P-14969)
232.Ap. B	n	(P-14969)
232.Ap. C	n	(P-14969)
240.102	am	(P-12109)
240.122	am	(P-12109)
240.140	n	(P-12109)
240.141	n	(P-12109)
240.142	n	(P-12109)
240.143	n	(P-12109)
240.144	n	(P-12109)
240.145	n	(P-12109)
240.146	n	(P-12109)

TITLE 35 (CONT'D)

240.147	n	(P-12109)
240.148	n	(P-12109)
270.10	n	(P-14845)
270.20	n	(P-14845)
270.30	n	(P-14845)
270.40	n	(P-14845)
270.50	n	(P-14845)
270.60	n	(P-14845)
270.70	n	(P-14845)
270.80	n	(P-14845)
276.101	am	(P-13607)
276.102	am	(P-13607)
276.204	am	(P-13607)
276.206	n	(P-13607)
276.301	am	(P-13607)
276.303	am	(P-13607)
276.304	am	(P-13607)
276.307	am	(P-13607)
276.308	n	(P-13607)
276.309	#	(P-13607)
276.310	#	(P-13607)
276.311	am	(P-13607)
276.311	#	(P-13607)
276.401	am	(P-13607)
276.401	am	(P-13607)
276.701	am	(P-13607)
276.702	am	(P-13607)
276.703	am	(P-13607)
304.211	n	(P-9700/90; A-241)
360.601	am	(P-15202)
360.602	am	(P-15202)
501.102	am	(P-3141; A-10075)
501.200	n	(P-3141; A-10075)
501.246	n	(P-3141; A-10075)
501.248	n	(P-3141; A-10075)
501.274	n	(P-3141; A-10075)
501.317	n	(P-3141; A-10075)
501.330	am	(P-3141; A-10075)
501.342	n	(P-3141; A-10075)
501.356	n	(P-3141; A-10075)
501.372	n	(P-3141; A-10075)
501.402	am	(P-3141; A-10075)
501.404	am	(P-3141; A-10075)
501.405	am	(P-3141; A-10075)
601.105	am	(P-9829)
611.325	am	(P-17154/90; A-1562)
611.521	am	(P-17154/90; A-1562)
615.101	n	(P-10303)
615.102	n	(P-10303)
615.103	n	(P-10303)
615.104	n	(P-10303)
615.105	n	(P-10303)
615.201	n	(P-10303)
615.202	n	(P-10303)
615.203	n	(P-10303)
615.204	n	(P-10303)
615.205	n	(P-10303)
615.206	n	(P-10303)
615.207	n	(P-10303)
615.208	n	(P-10303)
615.209	n	(P-10303)
615.210	n	(P-10303)
615.211	n	(P-10303)
615.301	n	(P-10303)
615.302	n	(P-10303)
615.303	n	(P-10303)
615.304	n	(P-10303)
615.305	n	(P-10303)
615.306	n	(P-10303)
615.307	n	(P-10303)
615.401	n	(P-10303)
615.402	n	(P-10303)
615.403	n	(P-10303)
615.404	n	(P-10303)
615.421	n	(P-10303)
615.422	n	(P-10303)
615.423	n	(P-10303)
615.424	n	(P-10303)
615.425	n	(P-10303)
615.441	n	(P-10303)
615.442	n	(P-10303)
615.443	n	(P-10303)
615.444	n	(P-10303)
615.445	n	(P-10303)
615.446	n	(P-10303)
615.447	n	(P-10303)
615.461	n	(P-10303)
615.462	n	(P-10303)
615.463	n	(P-10303)
615.501	n	(P-10303)
615.502	n	(P-10303)
615.601	n	(P-10303)
615.602	n	(P-10303)
615.603	n	(P-10303)
615.604	n	(P-10303)
615.621	n	(P-10303)
615.622	n	(P-10303)
615.623	n	(P-10303)
615.701	n	(P-10303)
615.702	n	(P-10303)
615.703	n	(P-10303)
615.704	n	(P-10303)
615.705	n	(P-10303)
615.721	n	(P-10303)
615.722	n	(P-10303)
615.723	n	(P-10303)
615.724	n	(P-10303)
616.101	n	(P-9836)
616.102	n	(P-9836)
616.104	n	(P-9836)
616.105	n	(P-9836)
616.201	n	(P-9836)
616.202	n	(P-9836)
616.203	n	(P-9836)
616.204	n	(P-9836)
616.205	n	(P-9836)
616.206	n	(P-9836)
616.207	n	(P-9836)
616.208	n	(P-9836)
616.209	n	(P-9836)
616.210	n	(P-9836)
616.211	n	(P-9836)
616.301	n	(P-9836)
616.302	n	(P-9836)
616.302	n	(P-9836)

TITLE 35 (CONT'D)

616.304	n	(P-9836)
616.305	n	(P-9836)
616.306	n	(P-9836)
616.307	n	(P-9836)
616.401	n	(P-9836)
616.402	n	(P-9836)
616.421	n	(P-9836)
616.422	n	(P-9836)
616.423	n	(P-9836)
616.424	n	(P-9836)
616.425	n	(P-9836)
616.441	n	(P-9836)
616.442	n	(P-9836)
616.443	n	(P-9836)
616.444	n	(P-9836)
616.445	n	(P-9836)
616.446	n	(P-9836)
616.447	n	(P-9836)
616.461	n	(P-9836)
616.462	n	(P-9836)
616.463	n	(P-9836)
616.464	n	(P-9836)
616.501	n	(P-9836)
616.502	n	(P-9836)
616.601	n	(P-9836)
616.602	n	(P-9836)
616.603	n	(P-9836)
616.604	n	(P-9836)
616.605	n	(P-9836)
616.621	n	(P-9836)
616.622	n	(P-9836)
616.623	n	(P-9836)
616.624	n	(P-9836)
616.625	n	(P-9836)
616.701	n	(P-9836)
616.702	n	(P-9836)
616.703	n	(P-9836)
616.704	n	(P-9836)
616.705	n	(P-9836)
616.721	n	(P-9836)
616.722	n	(P-9836)
616.723	n	(P-9836)
616.724	n	(P-9836)
616.725	n	(P-9836)
617.101	n	(P-9882)
617.102	n	(P-9882)
620.105	n	(P-4234; W-13569)
620.110	n	(P-4234; W-13569)
620.115	n	(P-4234; W-13569)
620.125	n	(P-4234; W-13569)
620.130	n	(P-4234; W-13569)
620.135	n	(P-4234; W-13569)
620.201	n	(P-4234; W-13569)
620.210	n	(P-4234; W-13569)
620.220	n	(P-4234; W-13569)
620.230	n	(P-4234; W-13569)
620.240	n	(P-4234; W-13569)
620.250	n	(P-4234; W-13569)
620.260	n	(P-4234; W-13569)
620.301	n	(P-4234; W-13569)
620.302	n	(P-4234)
620.305	n	(P-4234; W-13569)
620.307	n	(P-4234; W-13569)
620.310	n	(P-4234; W-13569)
620.320	n	(P-4234; W-13569)
620.330	n	(P-4234; W-13569)
620.340	n	(P-4234; W-13569)
620.350	n	(P-4234; W-13569)
620.360	n	(P-4234; W-13569)
620.401	n	(P-4234)
620.405	n	(P-4234; W-13569)
620.410	n	(P-4234; W-13569)
620.415	n	(P-4234; W-13569)
620.420	n	(P-4234; W-13569)
620.430	n	(P-4234)
620.440	n	(P-4234)
620.450	n	(P-4234)
620.501	n	(P-4234; W-13569)
620.505	n	(P-4234; W-13569)
620.510	n	(P-4234; W-13569)
620.515	n	(P-4234; W-13569)
620.517	n	(P-4234; W-13569)
620.520	n	(P-4234; W-13569)
620.525	n	(P-4234; W-13569)
620.601	n	(P-4234; W-13569)
620.605	n	(P-4234; W-13569)
620.610	n	(P-4234; W-13569)
620.615	n	(P-4234)
620.Ap.A	n	(P-4234; W-13569)
620.Ap.B	n	(P-4234; W-13569)
620.Ap.C	n	(P-4234; W-13569)
703.183	am	(P-2376; A-9616)
703.208	n	(P-6059)
703.210	n	(P-2376; A-9616)
703.211	n	(P-2376; A-9616)
703.212	n	(P-6059; A-14554)
703.Ap.A	am	(P-2376; A-9616)
720.110	am	(P-5980; A--14446)
720.111	am	(P-2066; A-9323) (P-5980; A-14446) (P-13925/90; A-7934)
721.104	am	(P-2075; A-9332) (P-6001; A-14473)
721.106	am	(P-2075; A-9332)
721.110	am	(P-13938/90; A-7950)
721.111	am	(P-2075) (P-13938/90; A-7950)
721.120	am	(P-2075; A-9332) (P-13925/90; A-7934)
721.121	am	(P-2075; A-9332)
721.122	am	(P-2075; A-9332) (P-13925/90; A-7934)
721.123	am	(P-2075; A-9332)
721.124	am	(P-2075; A-9332)
721.131	am	(P-2075; A-9332) (P-6001; A-14473) (P-15910)
721.132	am	(P-2075; A-9332) (P-6001; A-14473)
721.133	am	(P-2075; A-9332)
721.135	n	(P-6001; A-14473)
721.Ap. C	am	(P-2075; A-9332) (P-6001; A-14473)
721.Ap. G	am	(P-2075; A-9332) (P-6001; A-14473)
721.Ap. H	am	(P-6001; A-14473)
721.Ap. I	am	(P-9288)
722.111	am	(P-2404; A-9644)
722.134	am	(P-2404; A-9644)

TITLE 35 (CONT'D)

		(P-6066; A-14562)
724.113	am	(P-2414; A-9654)
724.115	am	(P-2414; A-9654)
724.173	am	(P-2414; A-9654)
724.177	am	(P-2414; A-9654)
724.290	am	(P-6073; A-14572)
724.321	am	(P-2414; A-9654)
724.329	am	(P-2414; A-9654)
724.356	am	(P-2414; A-9654)
724.381	am	(P-2414; A-9654)
724.401	am	(P-2414; A-9654)
724.412	am	(P-2414; A-9654)
724.416	am	(P-2414; A-9654)
724.670	am	(P-6073; A-14572)
724.671	am	(P-6073; A-14572)
724.672	am	(P-6073; A-14572)
724.673	am	(P-6073; A-14572)
724.674	am	(P-6073; A-14572)
724.675	am	(P-6073; A-14572)
724.930	n	(P-2414; A-9654)
724.931	n	(P-2414; A-9654)
724.932	n	(P-2414; A-9654)
724.933	n	(P-2414; A-9654)
724.934	n	(P-2414; A-9654)
724.935	n	(P-2414; A-9654)
724.936	n	(P-2414; A-9654)
724.950	n	(P-2414; A-9654)
724.951	n	(P-2414; A-9654)
724.952	n	(P-2414; A-9654)
724.953	n	(P-2414; A-9654)
724.954	n	(P-2414; A-9654)
724.955	n	(P-2414; A-9654)
724.956	n	(P-2414; A-9654)
724.957	n	(P-2414; A-9654)
724.958	n	(P-2414; A-9654)
724.959	n	(P-2414; A-9654)
724.960	n	(P-2414; A-9654)
724.961	n	(P-2414; A-9654)
724.962	n	(P-2414; A-9654)
724.963	n	(P-2414; A-9654)
724.964	n	(P-2414; A-9654)
724.965	n	(P-2414; A-9654)
725.101	am	(P-2145; A-9398)
725.113	am	(P-2145; A-9398)
725.115	am	(P-2145; A-9398)
725.173	am	(P-2145; A-9398)
725.177	am	(P-2145; A-9398)
725.290	am	(P-6043; A-14534)
725.329	am	(P-2145; A-9398)
725.356	am	(P-2145; A-9398)
725.381	am	(P-2145; A-9398)
725.412	am	(P-2145; A-9398)
725.416	am	(P-2145; A-9398)
725.540	n	(P-6043; A-14534)
725.541	n	(P-6043; A-14534)
725.542	n	(P-6043; A-14534)
725.543	n	(P-6043; A-14534)
725.544	n	(P-6043; A-14534)
725.545	n	(P-6043; A-14534)
725.930	n	(P-2145; A-9398)
725.931	n	(P-2145; A-9398)
725.932	n	(P-2145; A-9398)
725.933	n	(P-2145; A-9398)
725.934	n	(P-2145; A-9398)
725.935	n	(P-2145; A-9398)
725.950	n	(P-2145; A-9398)
725.951	n	(P-2145; A-9398)
725.952	n	(P-2145; A-9398)
725.953	n	(P-2145; A-9398)
725.954	n	(P-2145; A-9398)
725.955	n	(P-2145; A-9398)
725.956	n	(P-2145; A-9398)
725.957	n	(P-2145; A-9398)
725.958	n	(P-2145; A-9398)
725.959	n	(P-2145; A-9398)
725.960	n	(P-2145; A-9398)
725.961	n	(P-2145; A-9398)
725.962	n	(P-2145; A-9398)
725.963	n	(P-2145; A-9398)
725.964	n	(P-2145; A-9398)
726.132	r	(P-2487; A-9727)
728.101	am	(P-2209; A-9462)
728.102	am	(P-2209; A-9462)
728.103	am	(P-2209; A-9462)
728.105	am	(P-2209; A-9462)
728.107	am	(P-2209; A-9462)
728.108	r	(P-2209; A-9462)
728.109	n	(P-2209; A-9462)
728.135	n	(P-2209; A-9462)
728.140	am	(P-2209; A-9462)
728.141	am	(P-2209; A-9462)
728.142	am	(P-2209; A-9462)
728.143	am	(P-2209; A-9462)
728.Ap.D	n	(P-2209; A-9462)
728.Ap.E	n	(P-2209; A-9462)
728.Ap.F	n	(P-2209; A-9462)
728.Ap.G	n	(P-2209; A-9462)
728.Ap.H	n	(P-2209; A-9462)
728.Tb.A	am	(P-2209; A-9462) (A-11937; W-14716)
728.Tb.B	am	(P-2209; A-9462)
728.Tb.C	n	(P-2209; A-9462)
728.Tb.D	n	(P-2209; A-9462)
728.Tb.E	n	(P-2209; A-9462)
731.113	am	(P-6424; A-13800)
731.140	am	(P-20161/90; A-6527)
731.191	am	(P-6424; A-13800) (P-20161/90; A-6527)
738.101	am	(P-18681/90; A-11425)
738.110	am	(P-18681/90; A-11425)
738.112	am	(P-18681/90; A-11425)
738.114	am	(P-18681/90; A-11425)
738.115	am	(P-18681/90; A-11425)
738.116	am	(P-18681/90; A-11425)
809.901	r	(P-13017)
809.902	r	(P-13017)
809.903	r	(P-13017)
809.904	r	(P-13017)
809.905	r	(P-13017)
809.906	r	(P-13017)
811.101	am	(P-3166) (P-4660)
811.301	am	(P-3166) (P-4660)
811.401	am	(P-3166) (P-4660)
814.104	am	(P-4604)
814.601	n	(P-3155)
814.602	n	(P-3155)
814.701	n	(P-3155)

TITLE 35 (CONT'D)

814.702	n	(P-3155)
814.801	n	(P-3155)
814.901	n	(P-4604)
814.902	n	(P-4604)
814.920	n	(P-4604)
814.921	n	(P-4604)
814.930	n	(P-4604)
814.931	n	(P-4604)
816.101	n	(P-4616)
816.102	n	(P-4616)
816.103	n	(P-4616)
816.104	n	(P-4616)
816.105	n	(P-4616)
816.106	n	(P-4616)
816.107	n	(P-4616)
816.108	n	(P-4616)
816.109	n	(P-4616)
816.110	n	(P-4616)
816.111	n	(P-4616)
816.112	n	(P-4616)
816.113	n	(P-4616)
816.114	n	(P-4616)
816.115	n	(P-4616)
816.116	n	(P-4616)
816.117	n	(P-4616)
816.118	n	(P-4616)
816.119	n	(P-4616)
816.120	n	(P-4616)
816.121	n	(P-4616)
816.122	n	(P-4616)
816.123	n	(P-4616)
816.124	n	(P-4616)
816.101	n	(P-4616)
817.101	n	(P-3173)
817.102	n	(P-3173)
817.103	n	(P-3173)
817.104	n	(P-3173)
817.105	n	(P-3173)
817.201	n	(P-3173)
817.202	n	(P-3173)
817.203	n	(P-3173)
817.204	n	(P-3173)
817.301	n	(P-3173)
817.302	n	(P-3173)
817.303	n	(P-3173)
817.304	n	(P-3173)
817.305	n	(P-3173)
817.306	n	(P-3173)
817.401	n	(P-3173)
817.402	n	(P-3173)
817.403	n	(P-3173)
817.404	n	(P-3173)
817.405	n	(P-3173)
817.406	n	(P-3173)
817.407	n	(P-3173)
817.408	n	(P-3173)
817.409	n	(P-3173)
817.410	n	(P-3173)
817.411	n	(P-3173)
817.412	n	(P-3173)
817.413	n	(P-3173)
817.414	n	(P-3173)
817.415	n	(P-3173)
817.416	n	(P-3173)
848.101	n	(P-7763/90; A-7959)
848.101	am	(P-13004)
848.102	n	(P-7763/90; A-7959)
848.103	n	(P-7763/90; A-7959)
848.104	n	(P-7763/90; A-7959)
848.105	n	(P-7763/90; A-7959)
848.201	n	(P-7763/90; A-7959)
848.202	n	(P-7763/90; A-7959)
848.202	am	(P-13004)
848.203	n	(P-7763/90; A-7959)
848.204	n	(P-7763/90; A-7959)
848.205	n	(P-7763/90; A-7959)
848.205	am	(P-13004)
848.206	n	(P-13004)
848.301	n	(P-7763/90; A-7959)
848.302	n	(P-7763/90; A-7959)
848.303	n	(P-7763/90; A-7959)
848.304	n	(P-7763/90; A-7959)
848.305	n	(P-7763/90; A-7959)
848.306	n	(P-7763/90; A-7959)
848.400	n	(P-7763/90; A-7959)
848.401	n	(P-7763/90; A-7959)
848.402	n	(P-7763/90; A-7959)
848.403	n	(P-7763/90; A-7959)
848.404	n	(P-7763/90; A-7959)
848.405	n	(P-7763/90; A-7959)
848.406	n	(P-7763/90; A-7959)
848.407	n	(P-7763/90; A-7959)
848.408	n	(P-7763/90; A-7959)
848.410	n	(P-7763/90; A-7959)
848.413	n	(P-7763/90; A-7959)
848.415	n	(P-7763/90; A-7959)
848.501	n	(P-7763/90; A-7959)
848.502	n	(P-7763/90; A-7959)
848.503	n	(P-7763/90; A-7959)
848.504	n	(P-7763/90; A-7959)
848.505	n	(P-7763/90; A-7959)
848.506	n	(P-7763/90; A-7959)
848.507	n	(P-7763/90; A-7959)
848.508	n	(P-7763/90; A-7959)
848.509	n	(P-7763/90; A-7959)
848.601	n	(P-7763/90; A-7959)
848.602	n	(P-7763/90; A-7959)
848.603	n	(P-7763/90; A-7959)
848.604	n	(P-7763/90; A-7959)
848.605	n	(P-7763/90; A-7959)
848.606	n	(P-7763/90; A-7959)
848.Ap.A	n	(P-7763/90; A-7959)
Il. A	n	(P-7763/90; A-7959)
Il. B	n	(P-7763/90; A-7959)
Il. C	n	(P-7763/90; A-7959)
Il. D	n	(P-7763/90; A-7959)
Il. E	n	(P-7763/90; A-7959)
Il. F	n	(P-7763/90; A-7959)
849.101	r	(PR-13265)
849.102	r	(PR-13265)
849.103	r	(PR-13265)
849.104	r	(PR-13265)
849.105	r	(PR-13265)
849.106	r	(PR-13265)
859.101	n	(P-8438)
859.102	n	(P-8438)
859.201	n	(P-8438)

TITLE 35 (CONT'D)

859.202	n	(P-8438)
859.203	n	(P-8438)
859.204	n	(P-8438)
859.205	n	(P-8438)
859.301	n	(P-8438)
859.302	n	(P-8438)
859.303	n	(P-8438)
870.206	am	(P-15667/90; A-9311)
870.305	am	(P-15667/90; A-9311)

TITLE 38

180.90	am	(P-1207; A-8555)
307.10	n	(P-3611)
307.20	n	(P-3611)
350.01	n	(P-2053)
354.10	n	(P-3614)
354.20	n	(P-3614)
354.30	n	(P-3614)
354.40	n	(P-3614)
354.50	n	(P-3614)
354.60	n	(P-3614)
354.70	n	(P-3614)
397.10	n	(P-15181/90; A-167)
397.20	n	(P-15181/90; A-167)
397.30	n	(P-15181/90; A-167)
397.40	n	(P-15181/90; A-167)
397.50	n	(P-15181/90; A-167)
400.130	am	(P-14394)
400.141	am	(P-14394)
400.142	am	(P-14394)
450.210	am	(P-2573; A-8580)
450.220	am	(P-2573; A-8580)
450.250	am	(P-2573; A-8580)
450.260	am	(P-2573; A-8580)
450.280	r	(P-2573; A-8580)
450.340	am	(P-2573; A-8580)
450.350	am	(P-2573; A-8580)
450.410	am	(P-2573; A-8580)
450.430	am	(P-2573; A-8580)
450.440	am	(P-2573; A-8580)
450.720	am	(P-2573; A-8580)
450.740	am	(P-2573; A-8580)
450.820	am	(P-2573; A-8580)
450.860	am	(P-2573; A-8580)
450.910	am	(P-2573; A-8580)
450.1010	am	(P-2573; A-8580)
450.1110	am	(P-2573; A-8580)
450.1130	r	(P-2573; A-8580)
450.1175	n	(P-2573; A-8580)
450.1230	am	(P-2573; A-8580)
450.1340	am	(A-8580)
450.1550	am	(P-2573; A-8580)
500.10	r	(P-5162)
500.100	n	(P-5179)
500.110	r	(P-5162)
500.120	r	(P-5162)
500.130	r	(P-5162)
500.140	r	(P-5162)
500.150	r	(P-5162)
500.160	r	(P-5162)
500.170	r	(P-5162)
500.180	r	(P-5162)
500.190	r	(P-5162)
500.200	n	(P-5179)
500.200	r	(P-5162)
500.210	r	(P-5162)
500.210	n	(P-5179)
500.230	n	(P-5179)
500.300	r	(P-5162)
500.300	n	(P-5179)
500.310	r	(P-5162)
500.310	n	(P-5179)
500.320	r	(P-5162)
500.320	n	(P-5179)
500.330	r	(P-5162)
500.330	n	(P-5179)
500.340	r	(P-5162)
500.340	n	(P-5179)
500.350	r	(P-5162)
500.360	r	(P-5162)
500.370	r	(P-5162)
500.380	r	(P-5162)
500.390	r	(P-5162)
500.400	n	(P-5179)
500.410	n	(P-5179)
500.420	n	(P-5179)
500.430	n	(P-5179)
500.440	n	(P-5179)
500.450	n	(P-5179)
500.460	n	(P-5179)
500.470	n	(P-5179)
500.480	n	(P-5179)
500.490	n	(P-5179)
500.500	n	(P-5179)
500.510	r	(P-5162)
500.510	n	(P-5179)
500.520	n	(P-5179)
500.530	n	(P-5179)
500.540	n	(P-5179)
500.550	n	(P-5179)
500.560	n	(P-5179)
500.570	n	(P-5179)
500.580	n	(P-5179)
500.590	n	(P-5179)
500.600	n	(P-5179)
500.610	r	(P-5162)
500.610	n	(P-5179)
500.620	r	(P-5162)
500.620	n	(P-5179)
500.630	r	(P-5162)
500.630	n	(P-5179)
500.640	r	(P-5162)
500.640	n	(P-5179)
500.650	r	(P-5162)
500.650	n	(P-5179)
500.660	n	(P-5179)
500.670	n	(P-5179)
500.680	n	(P-5179)
500.690	n	(P-5179)
500.700	n	(P-5179)
500.710	r	(P-5162)
500.710	n	(P-5179)
500.810	r	(P-5162)
500.820	r	(P-5162)
500.830	r	(P-5162)
500.840	r	(P-5162)
500.850	r	(P-5162)

TITLE 38 (CONT'D)

500.860	r	(P-5162)
500.870	r	(P-5162)
500.880	r	(P-5162)
500.890	r	(P-5162)
500.900	r	(P-5162)
500.1010	r	(P-5162)
1075.100	n	(P-14758/90; A-1916)
1075.110	n	(P-14758/90; A-1916)
1075.120	n	(P-14758/90; A-1916) (P-14406)
1075.130	n	(P-14758/90; A-1916)
1075.140	n	(P-14758/90; A-1916)
1075.200	n	(P-14758/90; A-1916)
1075.300	n	(P-14758/90; A-1916)
1075.310	n	(P-14758/90; A-1916)
1075.400	n	(P-14758/90; A-1916)
1075.410	n	(P-14758/90; A-1916)
1075.415	n	(P-14758/90; A-1916)
1075.420	n	(P-14758/90; A-1916)
1075.430	n	(P-14758/90; A-1916)
1075.440	n	(P-14758/90; A-1916)
1075.450	n	(P-14758/90; A-1916)
1075.455	n	(P-14758/90; A-1916)
1075.460	n	(P-14758/90; A-1916)
1075.465	n	(P-14758/90; A-1916)
1075.470	n	(P-14758/90; A-1916)
1075.480	n	(P-14758/90; A-1916)
1075.490	n	(P-14758/90; A-1916)
1075.500	n	(P-14758/90; A-1916)
1075.505	n	(P-14758/90; A-1916)
1075.510	n	(P-14758/90; A-1916)
1075.515	n	(P-14758/90; A-1916)
1075.520	n	(P-14758/90; A-1916)
1075.525	n	(P-14758/90; A-1916)
1075.530	n	(P-14758/90; A-1916)
1075.535	n	(P-14758/90; A-1916)
1075.540	n	(P-14758/90; A-1916)
1075.545	n	(P-14758/90; A-1916)
1075.550	n	(P-14758/90; A-1916)
1075.555	n	(P-14758/90; A-1916)
1075.560	n	(P-14758/90; A-1916)
1075.565	n	(P-14758/90; A-1916)
1075.570	n	(P-14758/90; A-1916)
1075.575	n	(P-14758/90; A-1916)
1075.580	n	(P-14758/90; A-1916)
1075.585	n	(P-14758/90; A-1916)
1075.600	n	(P-14758/90; A-1916)
1075.610	n	(P-14758/90; A-1916)
1075.620	n	(P-14758/90; A-1916)
1075.630	n	(P-14758/90; A-1916)
1075.640	n	(P-14758/90; A-1916)
1075.650	n	(P-14758/90; A-1916)
1075.660	n	(P-14758/90; A-1916)
1075.670	n	(P-14758/90; A-1916)
1075.680	n	(P-14758/90; A-1916)
1075.700	n	(P-14758/90; A-1916)
1075.705	n	(P-14758/90; A-1916)
1075.710	n	(P-14758/90; A-1916)
1075.715	n	(P-14758/90; A-1916)
1075.720	n	(P-14758/90; A-1916)
1075.725	n	(P-14758/90; A-1916)
1075.730	n	(P-14758/90; A-1916)
1075.735	n	(P-14758/90; A-1916)
1075.740	n	(P-14758/90; A-1916)
1075.745	n	(P-14758/90; A-1916)
1075.750	n	(P-14758/90; A-1916)
1075.800	n	(P-14758/90; A-1916)
1075.810	n	(P-14758/90; A-1916)
1075.820	n	(P-14758/90; A-1916)
1075.900	n	(P-14758/90; A-1916)
1075.905	n	(P-14758/90; A-1916)
1075.910	n	(P-14758/90; A-1916)
1075.915	n	(P-14758/90; A-1916)
1075.920	n	(P-14758/90; A-1916)
1075.925	n	(P-14758/90; A-1916)
1075.930	n	(P-14758/90; A-1916)
1075.935	n	(P-14758/90 A-1916)
1075.945	n	(P-14758/90; A-1916)
1075.950	n	(P-14758/90; A-1916)
1075.955	n	(P-14758/90; A-1916)
1075.960	n	(P-14758/90; A-1916)
1075.965	n	(P-14758/90 A-1916)
1075.970	n	(P-14758/90; A-1916)
1075.975	n	(P-14758/90; A-1916)
1075.980	n	(P-14758/90; A-1916)
1075.985	n	(P-14758/90; A-1916)
1075.990	n	(P-14758/90; A-1916)
1075.995	n	(P-14758/90; A-1916)
1075.1000	n	(P-14758/90; A-1916)
1075.1005	n	(P-14758/90; A-1916)
1075.1010	n	(P-14758/90; A-1916)
1075.1015	n	(P-14758/90; A-1916)
1075.1020	n	(P-14758/90; A-1916)
1075.1025	n	(P-14758/90; A-1916)
1075.1030	n	(P-14758/90; A-1916)
1075.1035	n	(P-14758/90; A-1916)
1075.1040	n	(P-14758/90; A-1916)
1075.1045	n	(P-14758/90; A-1916)
1075.1050	n	(P-14758/90; A-1916)
1075.1055	n	(P-14758/90; A-1916)
1075.1100	n	(P-14758/90; A-1916)
1075.1105	n	(P-14758/90; A-1916)
1075.1110	n	(P-14758/90; A-1916)
1075.1115	n	(P-14758/90; A-1916)
1075.1120	n	(P-14758/90; A-1916)
1075.1125	n	(P-14758/90; A-1916)
1075.1130	n	(P-14758/90; A-1916)
1075.1135	n	(P-14758/90; A-1916)
1075.1140	n	(P-14758/90; A-1916)
1075.1145	n	(P-14758/90; A-1916)
1075.1150	n	(P-14758/90; A-1916)
1075.1155	n	(P-14758/90; A-1916)
1075.1160	n	(P-14758/90; A-1916)
1075.1165	n	(P-14758/90; A-1916)
1075.1170	n	(P-14758/90; A-1916)
1075.1175	n	(P-14758/90; A-1916)
1075.1180	n	(P-14758/90; A-1916)
1075.1185	n	(P-14758/90; A-1916)
1075.1190	n	(P-14758/90; A-1916)
1075.1195	n	(P-14758/90; A-1916)
1075.1200	n	(P-14758/90; A-1916)
1075.1205	n	(P-14758/90; A-1916)
1075.1210	n	(P-14758/90; A-1916)
1075.1215	n	(P-14758/90; A-1916)
1075.1220	n	(P-14758/90; A-1916)
1075.1225	n	(P-14758/90; A-1916)
1075.1230	n	(P-14758/90; A-1916)

TITLE 38 (CONT'D)

1075.1235	n	(P-14758/90; A-1916)
1075.1240	n	(P-14758/90; A-1916)
1075.1245	n	(P-14758/90; A-1916)
1075.1250	n	(P-14758/90; A-1916)
1075.1255	n	(P-14758/90; A-1916)
1075.1260	n	(P-14758/90; A-1916)
1075.1265	n	(P-14758/90; A-1916)
1075.1270	n	(P-14758/90; A-1916)
1075.1275	n	(P-14758/90; A-1916)
1075.1280	n	(P-14758/90; A-1916)
1075.1285	n	(P-14758/90; A-1916)
1075.1290	n	(P-14758/90; A-1916)
1075.1295	n	(P-14758/90; A-1916)
1075.1300	n	(P-14758/90; A-1916)
1075.1305	n	(P-14758/90; A-1916)
1075.1310	n	(P-14758/90; A-1916)
1075.1315	n	(P-14758/90; A-1916)
1075.1320	n	(P-14758/90; A-1916)
1075.1325	n	(P-14758/90; A-1916)
1075.1400	n	(P-14758/90; A-1916)
1075.1405	n	(P-14758/90; A-1916)
1075.1410	n	(P-14758/90; A-1916)
1075.1415	n	(P-14758/90; A-1916)
1075.1420	n	(P-14758/90; A-1916)
1075.1425	n	(P-14758/90; A-1916)
1075.1430	n	(P-14758/90; A-1916)
1075.1435	n	(P-14758/90; A-1916)
1075.1440	n	(P-14758/90; A-1916)
1075.1445	n	(P-14758/90; A-1916)
1075.1450	n	(P-14758/90; A-1916)
1075.1500	n	(P-14758/90; A-1916)
1075.1510	n	(P-14758/90; A-1916)
1075.1520	n	(P-14758/90; A-1916)
1075.1530	n	(P-14758/90; A-1916)
1075.1540	n	(P-14758/90; A-1916)
1075.1550	n	(P-14758/90; A-1916)
1075.1600	n	(P-14758/90; A-1916)
1075.1610	n	(P-14758/90; A-1916)
1075.1620	n	(P-14758/90; A-1916)
1075.1630	n	(P-14758/90; A-1916)
1075.1640	n	(P-14758/90; A-1916)
1075.1650	n	(P-14758/90; A-1916)

TITLE 41

120.10	am	(P-15823)
120.900	am	(P-15823)
120.1000	am	(P-15823)
120.1010	n	(P-15823)
120.1020	n	(P-15823)
120.1030	n	(P-15823)
120.1040	n	(P-15823)
120.1041	n	(P-15823)
120.Ap.B	n	(P-15823)
170.310	am	(P-12373/90; A-7042)
170.800	n	(P-10875)
170.810	n	(P-10875)
170.820	n	(P-10875)
170.830	n	(P-10875)
170.840	n	(P-10875)
170.850	n	(P-10875)
170.860	n	(P-10875)
170.870	n	(P-10875)
170.880	n	(P-10875)
250.10	n	(P-5322/90; A-5656)
250.20	n	(P-5322/90; A-5656)
250.25	n	(P-5322/90; A-5656)
250.30	n	(P-5322/90; A-5656)
250.40	n	(P-5322/90; A-5656)
250.50	n	(P-5322/90; A-5656)
250.60	n	(P-5322/90; A-5656)
250.80	n	(P-5322/90; A-5656)
250.82	n	(P-5322/90; A-5656)
250.83	n	(P-5322/90; A-5656)
250.85	n	(P-5322/90; A-5656)
250.93	n	(P-5322/90; A-5656)
250.97	n	(P-5322/90; A-5656)
250.201	n	(P-5322/90; A-5656)
250.210	n	(P-5322/90; A-5656)
250.213	n	(P-5322/90; A-5656)
250.215	n	(P-5322/90; A-5656)
250.220	n	(P-5322/90; A-5656)
250.230	n	(P-5322/90; A-5656)
250.232	n	(P-5322/90; A-5656)
250.233	n	(P-5322/90; A-5656)
250.250	n	(P-5322/90; A-5656)
250.260	n	(P-5322/90; A-5656)
250.270	n	(P-5322/90; A-5656)
250.301	n	(P-5322/90; A-5656)
250.310	n	(P-5322/90; A-5656)
250.315	n	(P-5322/90; A-5656)
250.320	n	(P-5322/90; A-5656)
250.340	n	(P-5322/90; A-5656)
250.341	n	(P-5322/90; A-5656)
250.343	n	(P-5322/90; A-5656)
250.358	n	(P-5322/90; A-5656)
250.360	n	(P-5322/90; A-5656)
250.370	n	(P-5322/90; A-5656)
260.10	n	(P-7872)
260.15	n	(P-7872)
260.20	n	(P-7872)
260.25	n	(P-7872)
260.30	n	(P-7872)
260.35	n	(P-7872)
260.40	n	(P-7872)
260.45	n	(P-7872)
260.50	n	(P-7872)
260.55	n	(P-7872)
260.60	n	(P-7872)
260.65	n	(P-7872)
260.70	n	(P-7872)
260.75	n	(P-7872)
260.80	n	(P-7872)
260.85	n	(P-7872)

TITLE 44

4000.30	am	(P-6882; A-11932)
4000.60	am	(P-6882; A-11932)
5030.130	am	(P-1203; A-8843)
5040.110	am	(P-17403/90; A-7553)
5040.350	am	(P-17403/90; A-7553)

TITLE 47

100.10	am	(P-14337) (E-14604)
100.20	am	(P-14337) (E-14604)
100.30	am	(P-15189/90; O-1575; A-3437) (P-14337) (E-14604)
100.40	am	(P-14337) (E-14604)

TITLE 47 (CONT'D)

100.50	am	(P-14337) (E-14604)
100.85	am	(P-14337) (E-14604
100.103	am	(P-14337) (E-14604)
100.105	am	(P-14337) (E-14604)
100.106	am	(P-15189/90; O-1575; A-3437)
100.106	r	(P-14337) (E-14604)
100.110	am	(P-15189/90; O-1575; A-3437) (P-14337) (E-14604)
100.111	am	(P-15189/90; O-1575; R-3603; A-3437)
100.111	r	(P-14337) (E-14604)
100.113	am	(P-15189/90; O-1575; R-3603; A-3437) (P-14337) (E-14604)
100.115	am	(P-14337; E-14604)
100.117	r	(P-15189/90; O-1575; A-3437)
100.120	am	(P-15189/90; O-1575; A-3437) (P-14337) (E-14604)
100.Ap. A		
Il.A	n	(P-14337) (E-14604)
Il. B	n	(P-14337) (E-14604)
Il. C	n	(P-14337) (E-14604)
Il. D	n	(P-14337) (E-14604)
Il. E	n	(P-14337) (E-14604)
Il. F	n	(P-14337) (E-14604)
100.Ap. D	am	(P-14337) (E-14604)
100 Ap. E	r	(P-14337) (E-14604)
100.Ap. E	am	(P-15189/90; O-1575; A-3437)
100.Ap. F	r	(P-14337) (E-14604)
100.Ap. F	am	(P-15189/90; O-1575; A-3437)
110.10	am	(P-10985/90; O-19076/90; R-3127; A-4410)
110.30	am	(P-10985/90; O-19076/90; R-3127; A-4410)
110.40	am	(P-10985/90; O-19076/90; R-3127; A-4410)
110.50	am	(P-10985/90; O-19076/90; R-3127; A-4410)
110.60	am	(P-10985/90; O-19076/90; R-3127; A-4410)
110.70	am	(P-10985/90; O-19076/90; R-3127; A-4410)
110.80	am	(P-10985/90; O-19076/90; R-3127; A-4410)
110.90	am	(P-10985/90; O-19076/90; R-3127; A-4410)
110.91	n	(P-10985/90; O-19076/90; R-3127; A-4410)
110.92	n	(P-10985/90; O-19076/90; R-3127; A-4410)
110.93	n	(P-10985/90; O-19076/90; R-3127; A-4410)
110.100	am	(P-10985/90; O-19076/90; R-3127; A-4410)
110.105	n	(P-10985/90; O-19076/90; R-3127; A-4410)
110.130	am	(P-10985/90; O-19076/90; R-3127; A-4410)
120.30	am	(P-13993)
120.55	am	(P-13993)
120.80	am	(P-13993)
120.90	am	(P-13993)
120.110	am	(P-13993)
120.115	am	(P-8617) (P-13993)
140.10	r	(PR-13241)
140.20	r	(PR-13241)
140.30	r	(PR-13241)
140.40	r	(PR-13241)
140.50	r	(PR-13241)
140.60	r	(PR-13241)
350.205	am	(P-9282)
350.206	am	(P-9282)
360.102	am	(P-9260)
360.103	am	(P-9260)
360.104	am	(P-9260)
360.106	am	(P-9260)
360.202	am	(P-9260)
360.302	am	(P-9260)
360.306	r	(P-9260)
360.307	#	(P-9260)
360.307	am	(P-9260)
360.308	#	(P-9260)
360.308	am	(P-9260)
360.309	#	(P-9260)
360.309	am	(P-9260)
360.310	#	(P-9260)
360.310	am	(P-9260)
360.401	am	(P-9260)
360.501	am	(P-9260)
360.502	am	(P-9260)
360.503	am	(P-9260)
360.504	am	(P-9260)
360.505	am	(P-9260)
360.506	am	(P-9260)
360.507	am	(P-9260)
360.601	am	(P-9260)
360.602	am	(P-9260)
360.603	am	(P-9260)
360.604	am	(P-9260)
360.605	am	(P-9260)
360.606	am	(P-9260)
360.701	am	(P-9260)
360.801	am	(P-9260)
360.802	am	(P-9260)
360.803	am	(P-9260)
360.901	am	(P-9260)
360.902	am	(P-9260)
360.903	am	(P-9260)
360.904	am	(P-9260)
360.905	am	(P-9260)
360.1101	am	(P-9260)
600.10	n	(P-11911)
600.20	n	(P-11911)
600.30	n	(P-11911)
600.40	n	(P-11911)
600.50	n	(P-11911)
600.60	n	(P-11911)

TITLE 50

754.Ex.C	am	(P-15238/90; A-4458)
909.50	am	(P-8766; A-15665)
918.10	r	(P-2899; A-11639)
918.20	r	(P-2899; A-11639)
918.30	r	(P-2899; A-11639)
918.40	r	(P-2899; A-11639)
918.50	r	(P-2899; A-11639)
918.60	r	(P-2899; A-11639)
Il. I	r	(P-2899; A-11639)

TITLE 50 (CONT'D)

Il. II	r	(P-2899; A-11639)
Il. III	r	(P-2899; A-11639)
Il. IV	r	(P-2899; A-11639)
930.60	am	(P-10884)
1407.10	n	(P-17737/90; A-8872)
1407.20	n	(P-17737/90; A-8872)
1407.30	n	(P-17737/90; A-8872)
1407.40	n	(P-17737/90; A-8872)
1407.50	n	(P-17737/90; A-8872)
1407.60	n	(P-17737/90; A-8872)
2007.10	am	(P-17737/90; A-7658)
2007.50	am	(P-17737/90; A-7658)
2007.60	am	(P-17737/90; A-7658)
2007.70	am	(P-17737/90; A-7658)
2007.80	am	(P-17737/90; A-7658)
2007.90	am	(P-17737/90; A-7658)
2008.10	am	(P-14859)
2008.20	am	(P-14859)
2008.30	am	(P-14859)
2008.40	am	(P-14859)
2008.50	am	(P-14859)
2008.60	am	(P-14859)
2008.61	r	(P-14859)
2008.70	am	(P-4566; W-6788) (P-14859)
2008.71	#	(P-14859)
2008.71	n	(P-14859)
2008.72	n	(P-14859)
2008.73	n	(P-14859)
2008.74	n	(P-14859)
2008.75	#	(P-14859)
2008.75	am	(P-14859)
2008.80	am	(P-14859)
2008.81	r	(P-14859)
2008.81	n	(P-14859)
2008.82	am	(P-14859)
2008.90	am	(P-14859)
2008.100	am	(P-14859)
2008.101	am	(P-14859)
2008.102	am	(P-14859)
2008.103	am	(P-14859)
2008.104	am	(P-14859)
2008.110	am	(P-14859)
2008.Ap. A	am	(P-14859)
2008.Ap. B	am	(P-14859)
2008.Ap. C	#	(P-14859)
2008.Ap. C	n	(P-14859)
2008.Ap. D	r	(P-14859)
2008.Ap. D	n	(P-14859)
2008.Ap. E	#	(P-14859)
2008.Ap. E	n	(P-14859)
2008.Ap. F	n	(P-14859)
2008.Ap. G	n	(P-14859)
2008.Ap. H	n	(P-14859)
2008.Ap. I	n	(P-14859)
2008.Ap. J	n	(P-14859)
2008.Ap. K	n	(P-14859)
2008.Ap. L	n	(P-14859)
2008.Ap. M	#	(P-14859)
2008.Ap. M	am	(P-14859)
2008.Ap. N	r	(P-14859)
2008.Ap. N	n	(P-14859)
2008.Ap. O	#	(P-14859)
2008.Ap. O	am	(P-14859)
2008.Ap. P	n	(P-14859)
2009.20	am	(P-5953; A-15061)
2009.30	am	(P-5953; A-15061)
2009.40	am	(P-5953; A-15061)
2009.60	am	(P-5953; A-15061)
2009.Ex. A	am	(P-5953; A-15061)
2014.10	n	(P-5975;13360)
2014.20	n	(P-5975;13360)
2014.30	n	(P-5975;13360)
2014.40	n	(P-5975;13360)
2014.Ex. A	n	(P-5975;13360)
2801.50	am	(P-6878)
3113.40	am	(P-15244)
3119.20	am	(P-12127/90; A-69)
3119.30	am	(P-12127/90; A-69)
3119.40	am	(P-12127/90; A-69) (P-11055)
3119.50	am	(P-12127/90; A-69)
3119.60	am	(P-12127/90; A-69)
3119.70	am	(P-12127/90; A-69)
3119.Ex.A	am	(P-12127/90; A-69)
3119.Ex.B	am	(P-12127/90; A-69)
3119.Ex.C	am	(P-12127/90; A-69)
3119.Ex.D	am	(P-12127/90; A-69)
6101.10	am	(P-20205/89; A-199)
6101.20	am	(P-20205/89; A-199)
6101.40	am	(P-20205/89; A-199)
6101.50	am	(P-20205/89; A-199)
6101.100	am	(P-20205/89; A-199)
6101.110	am	(P-20205/89; O-2117/90; M-365; A-199)
6101.111	n	(P-20205/89; A-199)
6101.112	n	(P-20205/89; A-199)
6101.130	am	(P-20205/89; A-199)
6101.140	am	(P-20205/89; A-199)
6101.141	n	(P-20205/89; A-199)
6101.142	n	(P-20205/89; A-199)
6101.160	r	(P-20205/89; A-199)
6101.20	am	(P-20205/89; A-199)
6101.20	am	(P-20205/89; A-199)
6101.20	am	(P-20205/89; A-199)
6602.10	n	(P-7391; A-15438)
6602.20	n	(P-7391; A-15438)
6602.Ap.A	n	(P-7391; A-15438)
6602.Ap.B	n	(P-7391; A-15438)
6602.Ap.C	n	(P-7391; A-15438)
6602.Ap.D	n	(P-7391; A-15438)
6602.Ap.E	n	(P-7391; A-15438)
6602.Ap.F	n	(P-7391; A-15438)
6602.Ap.G	n	(P-7391; A-15438)
6602.Ap.H	n	(P-7391; A-15438)
6602.Ap.I	n	(P-7391; A-15438)
6602.Ap.J	n	(P-7391; A-15438)
6602.Ap.K	n	(P-7391; A-15438)
6602.Ap.L	n	(P-7391; A-15438)
6602.Ap.M	n	(P-7391; A-15438)
7020.10	am	(P-18441/90; A-8221)
7020.20	am	(P-18441/90; A-8221)
7020.30	am	(P-18441/90; A-8221)
7020.40	am	(P-18441/90; A-8221)
7020.50	am	(P-18441/90; A-8221)
7020.60	am	(P-18441/90; A-8221)
7020.70	am	(P-18441/90; A-8221)
7030.20	am	(P-18434/90; A-8214)

TITLE 50 (CONT'D)

7030.20	am	(P-18434/90; A-8214)
7100.70	am	(P-6863)
8010.20	am	(P-7518; A-15605)
8010.30	am	(P-7518; A-15605)

TITLE 56

205.Tb.A	am	(P-4872; A-16084)
240.1200	rc	(A-11641)
240.1205	rc	(A-11641)
240.1210	rc	(A-11641)
240.1220	rc	(A-11641)
240.1230	rc	(A-11641)
240.1240	rc	(A-11641)
240.1250	rc	(A-11641)
240.1260	rc	(A-11641)
240.1270	rc	(A-11641)
240.1400	rc	(A-11641)
240.1405	rc	(A-11641)
240.1410	rc	(A-11641)
240.1420	rc	(A-11641)
240.1430	rc	(A-11641)
240.1440	rc	(A-11641)
240.1450	rc	(A-11641)
240.1460	rc	(A-11641)
240.1470	rc	(A-11641)
250.105	am	(P-15862) (E-16132)
250.115	am	(P-15862) (E-16132)
250.125	am	(P-15862) (E-16132)
250.130	am	(P-15862) (E-16132)
250.135	am	(P-15862) (E-16132)
250.155	n	(P-15862) (E-16132)
250.160	n	(P-15862) (E-16132)
250.165	n	(P-15862) (E-16132)
250.170	n	(P-15862) (E-16132)
250.175	n	(P-15862) (E-16132)
250.180	n	(P-15862) (E-16132)
250.200	am	(P-15862) (E-16132)
250.600	am	(P-15862) (E-16132)
250.700	am	(P-15862) (E-16132)
250.705	n	(P-15862) (E-16132)
250.710	n	(P-15862) (E-16132)
250.715	n	(P-15862) (E-16132)
250.805	am	(P-15862) (E-16132)
250.820	am	(P-15862) (E-16132)
250.825	am	(P-15862) (E-16132)
250.855	n	(P-15862) (E-16132)
250.860	n	(P-15862) (E-16132)
2600.20	am	(P-691; A-13102) (P-11865)
2610.60	am	(P-16117/90; A-7595)
2610.75	n	(P-11894)
2610.100	am	(P-13074/90; A-10386)
2610.110	am	(P-3641; A-13137)
2610.120	am	(P-3641; A-13137)
2610.130	am	(P-13074/90; A-10386)
2610.150	n	(P-13074/90; A-10386)
2610.Ap.A	am	(P-16117/90; A-7595)
2610.Ap.B	n	(P-16117/90; A-7595)
II.A	n	(P-16117/90; A-7595)
II.B	n	(P-16117/90; A-7595)
II.C	n	(P-16117/90; A-7595)
II.D	n	(P-16117/90; A-7595)
II.E	n	(P-16117/90; A-7595)
2620.10	r	(P-12964)
2620.20	r	(P-12964)
2620.30	r	(P-12964)
2620.40	r	(P-12964)
2620.50	r	(P-12964)
2620.60	r	(P-12964)
2620.70	r	(P-12964)
2620.80	r	(P-12964)
2620.90	r	(P-12964)
2620.100	r	(P-12964)
2625.25	n	(P-13045/90; A-13068)
2625.30	n	(P-13045/90; A-13068)
2625.40	n	(P-13045/90; A-13068)
2625.50	n	(P-13045/90; A-13068)
2625.55	n	(P-19495/90; RC-11532; A-13092)
2625.60	n	(P-13045/90; A-13068)
2625.70	n	(P-13045/90; A-13068)
2625.80	n	(P-13045/90; A-13068)
2630.5	n	(P-17407/90; RC-14321; A-16032)
2630.101	am	(P-17407/90; RC-14321; A-16032)
2630.102	am	(P-17407/90; RC-14321; A-16032)
2630.104	n	(P-17407/90; RC-14321; A-16032)
2630.105	n	(P-17407/90; RC-14321)
2630.120	am	(P-17407/90; RC-14321; A-16032)
2630.82	am	(P-8081)
2630.82	am	(P-8081) (P-11545)
2650.50	am	(P-19503/90; W-3602)
2720.1	am	(P-14343)
2720.5	am	(P-14343)
2720.7	n	(P-14343)
2720.10	am	(P-14343)
2720.108	n	(P-14343)
2720.130	am	(P-14343)
2720.215	am	(P-14343)
2720.240	am	(P-14343)
2720.315	am	(P-14343)
2725.105	am	(P-14014)
2725.115	am	(P-14014)
2725.237	n	(P-13252)
2730.150	n	(P-9817)
2730.155	n	(P-9817)
2732.125	n	(P-6382; A-11423)
2760.110	am	(P-14023)
2760.120	am	(P-14023)
2760.125	am	(P-14023)
2760.130	am	(P-14023)
2760.145	am	(P-14023)
2760.150	am	(P-14023)
2765.45	am	(P-14032)
2765.55	am	(P-14032)
2765.60	am	(P-14032)
2765.67	n	(P-11034)
2765.68	am	(P-14032)
2765.69	n	(P-11034)
2765.225	n	(P-11034)
2765.228	n	(P-11034)
2765.230	n	(P-11034)
2765.325	am	(P-11034)
2765.328	n	(P-11034)

TITLE 56 (CONT'D)

2765.220	n	(P-3381; A-11122)
2765.325	am	(P-13910/90; A-185)
2770.110	am	(P-15659/90; A-172) (P-13257)
2770.400	r	(P-3368; A-8553)
2770.405	r	(P-3368; A-8553)
2770.410	r	(P-3368; A-8553)
2770.415	r	(P-3368; A-8553)
2770.420	r	(P-3368; A-8553)
2815.105	am	(P-17152/90; A-1817)
2830.50	n	(P-10871)
2875.1	r	(P-4555; A-10414)
2875.5	r	(P-4555; A-10414)
2875.10	r	(P-4555; A-10414)
2875.15	r	(P-4555; A-10414)
2875.20	r	(P-4555; A-10414)
2875.25	r	(P-4555; A-10414)
2875.30	r	(P-4555; A-10414)
2875.35	r	(P-4555; A-10414)
2875.40	r	(P-4555; A-10414)
2875.45	r	(P-4555; A-10414)
2875.50	r	(P-4555; A-10414)
2875.55	r	(P-4555; A-10414)
2875.60	r	(P-4555; A-10414)
2920.1	am	(P-5495; A-11416)
2920.40	am	(P-13905/90; A-180)
2920.48	n	(P-5495; A-11416)
2920.66	n	(P-5495; A-11416)
2920.69	n	(P-5495; A-11416)
5300.10	am	(P-10521)
5300.20	am	(P-10521)
5300.30	am	(P-10521)
5300.40	am	(P-10521)
5300.210	am	(P-10521)
5300.310	am	(P-10521)
5300.450	am	(P-10521)
5300.460	am	(P-10521)
5300.550	r	(P-10521)
5300.560	am	(P-10521)
5300.570	r	(P-10521)
5300.610	am	(P-10521)
5300.620	am	(P-10521)
5300.630	am	(P-10521)
5300.640	am	(P-10521)
5300.650	am	(P-10521)
5300.660	am	(P-10521)
5300.720	am	(P-10521)
5300.730	am	(P-10521)
5300.735	n	(P-10521)
5300.745	n	(P-10521)
5300.750	am	(P-10521)
5300.760	am	(P-10521)
5300.765	n	(P-10521)
5300.770	r	(P-10521)
5300.782	r	(P-10521)
5300.783	r	(P-10521)
5300.784	r	(P-10521)
5300.785	r	(P-10521)
5300.786	r	(P-10521)
5300.787	r	(P-10521)
5300.825	am	(P-10521)
5300.865	am	(P-10521)
5300.920	am	(P-10521)
5300.930	am	(P-10521)
5300.940	am	(P-10521)
5300.950	am	(P-10521)
5300.960	am	(P-10521)
5300.1145	n	(P-10521)
5300.1150	am	(P-10521)
5300.1160	am	(P-10521)
6000.10	am	(P-2989/90; A-4109)
6000.280	am	(P-2989/90; A-4109)
6000.330	n	(P-2989/90; A-4109)

TITLE 59

101.20	am	(P-3386; A-9316)
101.30	am	(P-3386; A-9316)
101.100	n	(P-14363) (E-14663)
106.25	am	(P-14674/90; A-1555)
106.45	am	(P-14674/90; A-1555)
108.10	am	(P-16718/90; A-6122)
108.20	am	(P-16718/90; A-6122)
108.30	am	(P-16718/90; A-6122)
108.40	am	(P-16718/90; A-6122)
108.50	am	(P-16718/90; A-6122)
108.60	am	(P-16718/90; A-6122)
108.70	am	(P-16718/90; A-6122)
108.80	am	(P-16718/90; A-6122)
108.90	am	(P-16718/90; A-6122)
108.100	am	(P-16718/90; A-6122)
108.110	am	(P-16718/90; A-6122)
108.120	am	(P-16718/90; A-6122)
108.130	am	(P-16718/90; A-6122)
108.140	am	(P-16718/90; A-6122)
108.150	am	(P-16718/90; A-6122)
108.160	am	(P-16718/90; A-6122)
108.200	n	(P-16718/90; A-6122)
108.210	n	(P-16718/90; A-6122)
108.300	n	(P-16718/90; A-6122)
108.Ap. A	n	(P-16718/90; A-6122)
110.20	am	(P-8774; A-14435)
112.90	am	(P-15864)
115.410	am	(P-20138/90; A-8560)
117.100	n	(P-14671/90; A-1511)
117.110	n	(P-14671/90; A-1511)
117.115	n	(P-14671/90; A-1511)
117.120	n	(P-14671/90; A-1511)
117.125	n	(P-14671/90; A-1511)
117.130	n	(P-14671/90; A-1511)
117.135	n	(P-14671/90; A-1511)
117.140	n	(P-14671/90; A-1511)
117.145	n	(P-14671/90; A-1511)
117.200	n	(P-14671/90; A-1511)
117.205	n	(P-14671/90; A-1511)
117.210	n	(P-14671/90; A-1511)
117.215	n	(P-14671/90; A-1511)
117.220	n	(P-14671/90; A-1511)
117.225	n	(P-14671/90; A-1511)
117.230	n	(P-14671/90; A-1511)
117.235	n	(P-14671/90; A-1511)
117.240	n	(P-14671/90; A-1511)
117.300	n	(P-14671/90; A-1511)
117.305	n	(P-14671/90; A-1511)
117.310	n	(P-14671/90; A-1511)
117.315	n	(P-14671/90; A-1511)
117.320	n	(P-14671/90; A-1511)
117.325	n	(P-14671/90; A-1511)
117.330	n	(P-14671/90; A-1511)

TITLE 59 (CONT'D)

117.335	n	(P-14671/90; A-1511)
117.340	n	(P-14671/90; A-1511)
117.345	n	(P-14671/90; A-1511)
117.350	n	(P-14671/90; A-1511)
117.Ap.A	n	(P-14671/90; A-1511)
117.II.A	n	(P-14671/90; A-1511)
117.II.B	n	(P-14671/90; A-1511)
117.Ap.B	n	(P-14671/90; A-1511)
117.II.A	n	(P-14671/90; A-1511)
117.II.B	n	(P-14671/90; A-1511)
117.II.C	n	(P-14671/90; A-1511)
117.II.D	n	(P-14671/90; A-1511)
117.II.E	n	(P-14671/90; A-1511)
130.10	am	(P-17744/90; A-8882)
130.11	n	(P-17744/90; A-8882)
130.11	am	(E-18100/90; O-21140/90; R-1171)
130.15	am	(P-17744/90; A-8882)
130.20	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.30	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.40	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.51	am	(P-17744/90; A-8882)
130.60	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.70	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.80	r	(P-17744/90; A-8882)
130.80	n	(P-17744/90; A-8882)
130.80	am	(E-18100/90; O-21140/90; R-1171)
130.90	r	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.100	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.105	n	(P-17744/90; A-8882)
130.110	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.120	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.130	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.140	r	(P-17744/90; A-8882)
130.140	n	(P-17744/90; A-8882)
130.140	am	(E-18100/90; O-21140/90; R-1171)
130.150	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.160	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.170	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.180	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.190	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.200	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.210	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.220	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.230	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.240	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.250	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.Tb.A	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)
130.Tb.B	am	(E-18100/90; O-21140/90; R-1171) (P-17744/90; A-8882)

TITLE 62

220.160	am	(P-14277/90; A-1006)
240.10	am	(P-20140/90; W-5110) (P-8448; A-15493)
240.200	n	(P-8448; A-15493)
240.210	n	(P-8448; A-15493)
240.210	r	(P-8448; A-15493)
240.220	n	(P-8448; A-15493)
240.220	r	(P-8448; A-15493)
240.230	re	(A-8566)
240.230	n	(P-8448; A-15493)
240.240	n	(P-8448; A-15493)
240.240	r	(P-8448; A-15493)
240.250	n	(P-8448; A-15493)
240.250	re	(A-8566)
240.250	r	(P-8448; A-15493)
240.255	re	(A-8566)
240.260	n	(P-8448; A-15493)
240.260	r	(P-8448; A-15493)
240.270	r	(P-8448; A-15493)
240.280	r	(P-8448; A-15493)
240.300	n	(P-8448; A-15493)
240.305	re	(A-8566)
240.310	re	(A-8566)
240.310	n	(P-8448; A-15493)
240.320	re	(A-8566)
240.320	n	(P-8448; A-15493)
240.330	re	(A-8566)
240.330	n	(P-8448; A-15493)
240.340	re	(A-8566)
240.340	n	(P-8448; A-15493)
240.350	re	(A-8566)
240.350	n	(P-8448; A-15493)
240.360	re	(A-8566)
240.360	n	(P-8448; A-15493)
240.370	re	(A-8566)
240.370	n	(P-8448; A-15493)
240.380	n	(P-8448; A-15493)
240.390	n	(P-8448; A-15493)
240.395	n	(P-8448; A-15493)
240.410	r	(P-20140/90; W-5110) (P-8448; A-15493)
240.410	n	(P-20140/90; W-5110) (P-8448; A-15493)
240.420	r	(P-20140/90; W-5110) (P-8448; A-15493)
240.420	n	(P-20140/90; W-5110) (P-8448; A-15493)
240.430	r	(P-20140/90; W-5110) (P-8448; A-15493)
240.430	n	(P-20140/90; W-5110) (P-8448; A-15493)

TITLE 62 (CONT'D)

240.440	n	(P-20140/90; W-5110) (P-8448; A-15493)
240.450	n	(P-20140/90; W-5110) (P-8448; A-15493)
240.460	n	(P-20140/90; W-5110) (P-8448; A-15493)
240.470	n	(P-20140/90; W-5110)
240.510	r	(P-8448; A-15493)
240.520	r	(P-8448; A-15493)
240.600	n	(P-8448; A-15493)
240.610	n	(P-8448; A-15493)
240.610	r	(P-8448; A-15493)
240.620	n	(P-8448; A-15493)
240.620	r	(P-8448; A-15493)
240.630	n	(P-8448; A-15493)
240.630	r	(P-8448; A-15493)
240.640	n	(P-8448; A-15493)
240.640	r	(P-8448; A-15493)
240.650	n	(P-8448; A-15493)
240.650	r	(P-8448; A-15493)
240.655	r	(P-8448; A-15493)
240.655	am	(P-16205/90; A-2706)
240.660	r	(P-8448; A-15493)
240.670	r	(P-8448; A-15493)
240.670	re	(A-8566)
240.680	r	(P-8448; A-15493)
240.680	re	(A-8566)
240.700	n	(P-8448; A-15493)
240.710	n	(P-8448; A-15493)
240.710	re	(A-8566)
240.720	n	(P-8448; A-15493)
240.720	re	(A-8566)
240.730	n	(P-8448; A-15493)
240.740	n	(P-8448; A-15493)
240.750	n	(P-8448; A-15493)
240.760	n	(P-8448; A-15493)
240.770	n	(P-8448; A-15493)
240.780	n	(P-8448; A-15493)
240.790	n	(P-8448; RC-13203; A-15493)
240.805	rc	(A-8566)
240.810	rc	(A-8566)
240.820	rc	(A-8566)
240.830	rc	(A-8566)
240.840	rc	(A-8566)
240.850	rc	(A-8566)
240.860	rc	(A-8566)
240.870	rc	(A-8566)
240.880	rc	(A-8566)
240.890	rc	(A-8566)
240.905	rc	(A-8566)
240.910	rc	(A-8566)
240.920	rc	(A-8566)
240.930	rc	(A-8566)
240.940	rc	(A-8566)
240.950	rc	(A-8566)
240.960	rc	(A-8566)
240.970	rc	(A-8566)
240.980	rc	(A-8566)
240.985	rc	(A-8566)
240.990	rc	(A-8566)
240.995	rc	(A-8566)
240.995	r	(P-14365) (E-14679)
240.1200	rc	(A-8566) (CC-11641)
240.1205	rc	(A-8566) (CC-11641)
240.1210	rc	(A-8566) (CC-11641)
240.1220	rc	(A-8566) (CC-11641)
240.1230	rc	(A-8566) (CC-11641)
240.1240	rc	(A-8566) (CC-11641)
240.1250	rc	(A-8566) (CC-11641)
240.1260	rc	(A-8566) (CC-11641)
240.1270	rc	(A-8566) (CC-11641)
240.1300	rc	(A-8566)
240.1305	rc	(A-8566)
240.1310	rc	(A-8566)
240.1320	rc	(A-8566)
240.1330	rc	(A-8566)
240.1340	rc	(A-8566)
240.1350	rc	(A-8566)
240.1360	rc	(A-8566)
240.1370	rc	(A-8566)
240.1380	rc	(A-8566)
240.1385	rc	(A-8566)
240.1390	rc	(A-8566)
240.1395	rc	(A-8566)
240.1400	rc	(A-8566) (CC-11641)
240.1400	r	(P-14365) (E-14679)
240.1400	n	(P-14365) (E-14679)
240.1400	rc	(A-8566) (CC-11641)
240.1405	r	(P-14365) (E-14679)
240.1410	rc	(A-8566) (CC-11641)
240.1410	r	(P-14365) (E-14679)
240.1410	n	(P-14365) (E-14679)
240.1420	rc	(A-8566) (CC-11641)
240.1420	r	(P-14365) (E-14679)
240.1420	n	(P-14365) (E-14679)
240.1430	rc	(A-8566) (CC-11641)
240.1430	r	(P-14365) (E-14679)
240.1430	n	(P-14365) (E-14679)
240.1440	rc	(A-8566) (CC-11641)
240.1440	r	(P-14365) (E-14679)
240.1440	n	(P-14365) (E-14679)
240.1450	rc	(A-8566) (CC-11641)
240.1450	r	(P-14365) (E-14679)
240.1450	n	(P-14365) (E-14679)
240.1460	rc	(A-8566) (CC-11641)
240.1460	r	(P-14365) (E-14679)
240.1460	n	(P-14365) (E-14679)
240.1470	rc	(A-8566) (CC-11641)
240.1470	r	(P-14365) (E-14679)
240.1500	re	(A-8566)
240.1500	r	(P-14365) (E-14679)
240.1500	n	(P-14365) (E-14679)
240.1510	n	(P-14365) (E-14679)
240.1520	n	(P-14365) (E-14679)
240.1530	n	(P-14365) (E-14679)
1700.11	am	(P-1235)
1701.Ap. A	am	(P-1242)
1702.1	n	(P-1221)
1702.5	n	(P-1221)
1702.10	n	(P-1221)
1702.11	n	(P-1221)
1702.12	n	(P-1221)
1702.13	n	(P-1221)
1702.14	n	(P-1221)
1702.15	n	(P-1221)
1702.16	n	(P-1221)
1702.17	n	(P-1221)

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1702.18	n	(P-1221)
1761.11	am	(P-1212)
1761.12	am	(P-1212)
1772.11	am	(P-1347)
1772.14	am	(P-1347)
1773.5	am	(P-1352)
1773.11	am	(P-1352)
1773.15	am	(P-1352)
1773.17	am	(P-1352)
1773.19	am	(P-3393)
1774.13	am	(P-1363)
1778.14	am	(P-1342)
1780.16	am	(P-1374)
1780.37	am	(P-1374)
1780.39	n	(P-1374)
1784.21	am	(P-1382)
1784.24	am	(P-1382)
1784.30	n	(P-1382)
1816.49	am	(P-1266)
1816.68	am	(P-1266)
1816.84	am	(P-1266)
1816.111	am	(P-1266)
1816.116	am	(P-1266)
1816.117	am	(P-1266)
1816.150	am	(P-1266)
1816.151	n	(P-1266)
1816.Ap.A	am	(P-1266)
1817.49	am	(P-1314)
1817.68	am	(P-1314)
1817.84	am	(P-1314)
1817.116	am	(P-1314)
1817.117	am	(P-1314)
1817.150	am	(P-1314)
1817.151	n	(P-1314)
1823.14	am	(P-1368)
1823.15	am	(P-1368)
2501.7	am	(P-141; A-6513)
2501.10	am	(P-141; A-6513)
2501.13	am	(P-141; A-6513)
2501.16	am	(P-141; A-6513)
2501.19	am	(P-141; A-6513
2501.25	am	(P-141; A-6513)

TITLE 68

870.100	n	(P-12094)
870.105	n	(P-12094)
870.110	n	(P-12094)
870.115	n	(P-12094)
870.120	n	(P-12094)
870.200	n	(P-12094)
870.205	n	(P-12094)
870.210	n	(P-12094)
870.215	n	(P-12094)
870.220	n	(P-12094)
870.225	n	(P-12094)
870.230	n	(P-12094)
870.235	n	(P-12094)
870.240	n	(P-12094)
870.245	n	(P-12094)
870.300	n	(P-12094)
870.305	n	(P-12094)
870.310	n	(P-12094)
870.315	n	(P-12094)
870.320	n	(P-12094)
870.325	n	(P-12094)
870.400	n	(P-12094)
870.405	n	(P-12094)
870.500	n	(P-12094)
870.505	n	(P-12094)
870.510	n	(P-12094)
1150.20	am	(P-2492)
1150.30	am	(P-2492)
1150.40	am	(P-2492)
1150.50	am	(P-2492)
1150.60	am	(P-2492)
1150.65	am	(P-2492)
1150.70	am	(P-2492)
1150.80	am	(P-2492)
1150.90	am	(P-2492)
1150.100	am	(P-2492)
1150.110	am	(P-2492)
1150.Il.A	am	(P-2492)
1200.30	am	(P-14369)
1240.16	n	(P-2456/90; A-3051)
1240.40	am	(P-2456/90; A-3051)
1240.50	am	(P-2456/90; A-3051)
1250.110	am	(P-1691; A-8238)
1250.120	am	(P-1691; A-8238)
1250.130	am	(P-1691; A-8238)
1250.135	n	(P-1691; A-8238)
1250.140	am	(P-1691; A-8238)
1250.150	am	(P-1691; A-8238)
1250.155	n	(P-1691; A-8238)
1250.160	am	(P-1691; A-8238)
1250.170	am	(P-1691; A-8238)
1250.190	r	(P-1691; A-8238)
1250.200	am	(P-1691; A-8238)
1250.205	am	(P-1691; A-8238)
1250.210	am	(P-1691; A-8238)
1250.220	n	(P-1691; A-8238)
1270.5	n	(P-7378/90; A-5258)
1275.10	am	(P-7378/90; A-5258)
1275.10	n	(P-3218; A-10091) (E-3324)
1275.13	n	(P-7378/90; A-5258)
1275.15	am	(P-7378/90; A-5258)
1275.20	n	(P-3218; A-10091)) (E-3324)
1275.20	am	(P-7378/90; A-5258)
1275.30	n	(P-3218; A-10091)) (E-3324)
1275.35	nb	(P-7378/90; A-5258)
1275.30	am	(P-7378/90; A-5258)
1275.40	n	(P-3218; A-10091))
1275.40	am	(P-7378/90; A-5258)
1275.45	n	(P-7378/90; A-5258)
1275.50	n	(P-3218; A-10091))
1275.50	am	(P-7378/90; A-5258)
1275.60	n	(P-3218; A-10091)) (E-3324)
1275.60	am	(P-7378/90; A-5258)
1275.70	n	(P-3218; A-10091)
1275.90	n	(P-3218; A-10091)
1285.20	am	(P-6888; A-13365)
1285.40	am	(P-6888; A-13365)
1285.50	am	(P-6888; A-13365)
1285.60	am	(P-6888; A-13365)
1285.70	am	(P-6888; A-13365)
1285.80	am	(P-6888; A-13365)
1285.90	am	(P-6888; A-13365) (E-7785)
1285.95	am	(P-6888; A-13365)

TITLE 68 (CONT'D)

1285.105	n	(P-11389)
1285.120	am	(P-6888; A-13365)
1300.30	am	(P-2519; A-8573) (E-2855)
1340.15	n	(P-11369) (E-11503; RC-14322)
1340.20	am	(P-11369) (E-11503; RC-14322)
1340.30	am	(P-11369) (E-11503; RC-14322)
1340.40	am	(P-17432/90; A-5254) (P-11369) (E-11503; RC-14322)
1340.50	am	(P-11369)
1340.55	am	(P-11369)
1340.60	am	(P-11369)
1340.65	am	(P-11369)
1340.66	n	(P-11369)
1340.70	am	(P-11369)
1380.210	am	(P-7346/90; A-247)
1380.220	am	(P-7346/90; A-247)
1380.230	am	(P-7346/90; A-247) (P-8631)
1380.240	am	(P-7346/90; A-247)
1380.250	am	(P-7346/90; A-247)
1380.260	am	(P-7346/90; A-247)
1380.270	am	(P-7346/90; A-247)
1380.280	am	(P-7346/90; A-247)
1380.285	n	(P-7346/90; A-247)
1380.290	am	(P-7346/90; A-247)
1380.300	am	(P-7346/90; A-247)
1380.310	am	(P-7346/90; A-247)
1380.320	am	(P-7346/90; A-247)
1380.Ap.A	am	(P-7346/90; A-247)
1450.10	am	(P-19515/90; A-10416)
1450.11	#	(P-19515/90; A-10416)
1450.11	am	(P-19515/90; A-10416)
1450.12	#	(P-19515/90; A-10416)
1450.12	am	(P-19515/90; A-10416)
1450.15	am	(P-19515/90; A-10416)
1450.17	am	(P-19515/90; A-10416)
1450.18	am	(P-19515/90; A-10416)
1450.19	n	(P-19515/90; A-10416)
1450.20	am	(P-19515/90; A-10416)
1450.25	n	(P-19515/90; A-10416)
1450.30	am	(P-19515/90; A-10416)
1450.40	am	(P-19515/90; A-10416)
1450.50	am	(P-19515/90; A-10416)
1450.55	n	(P-19515/90; A-10416)
1450.60	am	(P-19515/90; A-10416)
1450.70	am	(P-19515/90; A-10416)
1450.80	am	(P-19515/90; A-10416)
1450.90	am	(P-19515/90; A-10416; C-10848)
1450.100	am	(P-19515/90; A-10416; C-10848)
1450.140	am	(P-19515/90; A-10416; C-10848)
1450.150	am	(P-19515/90; A-10416)
1450.170	am	(P-19515/90; A-10416)
1450.175	n	(P-14375)
1450.180	am	(P-19515/90; A-10416)
1450.185	am	(P-19515/90; A-10416)
1450.210	r	(P-19515/90; A-10416)
1450.215	am	(P-19515/90; A-10416)
1450.220	r	(P-19515/90; A-10416)
1450.230	#	(P-19515/90; A-10416)
1450.240	am	(P-19515/90; A-10416)
1450.250	#	(P-19515/90; A-10416)
1450.260	r	(P-19515/90; A-10416)
1450.270	r	(P-19515/90; A-10416)
1450.275	n	(P-19515/90; A-10416)
1450.280	am	(P-19515/90; A-10416)
1450.290	am	(P-19515/90; A-10416)
1480.10	r	(P-14291/90; A-7081)
1480.20	r	(P-14291/90; A-7081)
1480.30	r	(P-14291/90; A-7081)
1480.40	r	(P-14291/90; A-7081)
1480.45	#	(P-14291/90; A-7081)
1480.50	r	(P-14291/90; A-7081)
1480.110	n	(P-14291/90; A-7081)
1480.120	n	(P-14291/90; A-7081)
1480.130	n	(P-14291/90; A-7081)
1480.140	n	(P-14291/90; A-7081)
1480.150	n	(P-14291/90; A-7081)
1480.160	n	(P-14291/90; A-7081)
1480.170	n	(P-14291/90; A-7081)
1480.180	n	(P-14291/90; A-7081)
1480.190	#	(P-14291/90; A-7081)
1480.190	am	(P-14291/90; A-7081)
1480.200	n	(P-14291/90; A-7081)
1480.210	n	(P-14291/90; A-7081)
1480.220	#	(P-14291/90; A-7081)
1480.220	am	(P-14291/90; A-7081)
1500.25	am	(P-8635)
1500.35	am	(P-8635)
1500.45	am	(P-8635)

TITLE 74

280.10	am	(P-18359/90; A--8696)
280.20	am	(P-18359/90; A-8696)
280.35	am	(P-18359/90; O-5112; R-8724; A-8696)
285.1102	am	(P-17139/90; A-5070)
285.1106	am	(P-17139/90; A-5070)
420.630	am	(P-15645/90; A-3429)
420.640	am	(P-15645/90; A-3429)
750.10	n	(P-1791; RC-8317; A-14121)
750.20	n	(P-1791; RC-8317; A-14121)
750.30	n	(P-1791; RC-8317; A-14121)
750.40	n	(P-1791; RC-8317; A-14121)
750.40	am	(P-15035)
750.50	n	(P-1791; RC-8317; A-14121)
750.60	n	(P-1791; RC-8317; A-14121)
750.70	n	(P-1791; RC-8317; A-14121)
750.80	n	(P-1791; RC-8317; A-14121)
750.90	n	(P-1791; RC-8317; A-14121)
750.100	n	(P-1791; RC-8317; A-14121)
750.110	n	(P-1791; RC-8317; A-14121)
750.120	n	(P-1791; RC-8317; A-14121)
750.130	n	(A-14121)
750.140	n	(A-14121)
750.Ap. A	n	(A-14121)
750.Ap. B	n	(A-14121)
750.Ap. C	n	(P-15035)

TITLE 77

205.810	am	(P-4932; RC-13204)
205.820	r	(P-4932; RC-13204)
205.820	n	(P-4932; RC-13204)
205.830	r	(P-4932; RC-13204)
205.830	n	(P-4932; RC-13204)

TITLE 77 (CONT'D)

205.840	r	(P-4932; RC-13204)
205.840	n	(P-4932; RC-13204)
205.850	r	(P-4932; RC-13204)
205.850	n	(P-4932; RC-13204)
205.860	r	(P-4932; RC-13204)
205.860	n	(P-4932; RC-13204)
245.10	am	(P-14699/90; A-5376)
245.20	am	(P-14699/90; A-5376)
245.25	n	(P-14699/90; A-5376)
245.30	am	(P-14699/90; A-5376)
245.40	am	(P-14699/90; A-5376)
245.50	am	(P-14699/90; A-5376)
245.60	am	(P-14699/90; A-5376)
245.80	n	(P-14699/90; A-5376)
245.90	n	(P-14699/90; A-5376)
245.100	n	(P-14699/90; A-5376)
245.110	n	(P-14699/90; A-5376)
245.120	n	(P-14699/90; A-5376)
245.130	n	(P-14699/90; A-5376)
245.140	n	(P-14699/90; A-5376)
245.150	n	(P-14699/90; A-5376)
250.120	am	(P-16259/90; A-5328)
250.160	am	(P-4946; A-13811)
250.210	am	(P-16259/90; A-5328)
250.240	am	(P-16259/90; A-5328)
250.250	am	(P-4946; A-13811)
250.310	am	(P-16259/90; A-5328)
250.510	am	(P-16259/90; A-5328)
250.525	am	(P-16259/90; A-5328)
250.610	am	(P-4946; A-13811)
250.725	am	(P-16259/90; A-5328)
250.1510	am	(P-16259/90; A-5328)
250.1740	am	(P-4946; A-13811)
250.1750	am	(P-4946; A-13811)
250.2420	am	(P-4946; A-13811)
250.2440	am	(P-4946; A-13811)
250.2450	am	(P-4946; A-13811)
300.120	am	(P-4367)
300.330	am	(P-9957/90; A-554) (P-4367)
300.620	am	(P-4367)
300.1010	am	(P-9957/90; A-554)
300.2420	am	(P-14039)
300.3220	am	(P-9957/90; A-554)
300.3240	am	(P-9957/90; A-554)
300.3260	am	(P-9957/90; A-554)
330.120	am	(P-4338)
330.330	am	(P-9920/90; A-516) (P-4338)
330.913	r	(P-9920/90; A-516)
330.1110	am	(P-9920/90; A-516)
330.4220	am	(P-9920/90; A-516)
330.4240	am	(P-9920/90; A-516)
330.4260	am	(P-9920/90; A-516)
350.120	am	(P-4280)
350.330	am	(P-9833/90; A-466) (P-4280)
350.680	am	(P-9833/90; A-466)
350.1220	am	(P-9833/90; A-466)
350.3220	am	(P-9833/90; A-466)
350.3240	am	(P-9833/90; A-466)
350.3260	am	(P-9833/90; A-466)
350.3710	am	(P-9833/90; A-466)
350.3720	am	(P-9833/90; A-466)
350.3730	am	(P-9833/90; A-466)
350.3750	am	(P-9833/90; A-466)
350.3770	am	(P-9833/90; A-466)
350.3780	am	(P-9833/90; A-466)
350.3810	am	(P-9833/90; A-466)
350.3880	am	(P-9833/90; A-466)
350.3900	am	(P-9833/90; A-466)
350.3940	am	(P-9833/90; A-466)
350.4010	am	(P-9833/90; A-466)
350.Tb. D	am	(P-9833/90; A-466)
350.Tb. E	am	(P-9833/90; A-466)
390.120	am	(P-4309)
390.330	am	(P-9883/90; A-1878) (P-4309)
390.1030	am	(P-9883/90; A-1878)
390.3220	am	(P-9883/90; A-1878)
390.3240	am	(P-9883/90; A-1878)
390.3260	am	(P-9883/90; A-1878)
450.5	am	(P-6440; A-15727)
450.20	am	(P-6440; A-15727)
450.30	am	(P-6440; A-15727)
450.35	am	(P-6440; A-15727)
450.60	am	(P-6440; A-15727)
450.Ap.C	am	(P-6440; A-15727)
500.10	am	(P-17452/90; A-11706)
500.20	am	(P-3422; A-11706) (E-3593) (RC-11535)
500.30	am	(P-17452/90; A-11706)
500.40	am	(P-17452/90; A-11706)
500.45	n	(P-17452/90; A-11706)
500.50	am	(P-17452/90; A-11706)
500.60	am	(P-17452/90; A-11706)
500.70	n	(P-3422; A-11706) (E-3593) (RC-11535)
500.80	n	(P-17452/90; A-11706)
500.90	n	(P-17452/90; A-11706)
500.Ap. A	n	(P-17452/90; A-11706)
.Il. A	n	(P-17452/90; A-11706)
.Il. B	n	(P-17452/90; A-11706)
.Il. C	n	(P-17452/90; A-11706)
.Il. D	n	(P-17452/90; A-11706)
.Il. E	n	(P-17452/90; A-11706)
.Il. F	n	(P-17452/90; A-11706)
500.Ap. B	n	(P-17452/90; A-11706)
.Il. A	n	(P-17452/90; A-11706)
.Il. B	n	(P-17452/90; A-11706)
.Il. C	n	(P-17452/90; A-11706)
.Il. D	n	(P-17452/90; A-11706)
.Il. E	n	(P-17452/90; A-11706)
.Il. F	n	(P-17452/90; A-11706)
500.Ap. C	n	(P-17452/90; A-11706)
500.Ap. D	n	(P-17452/90; A-11706)
500.Ap. E	n	(P-17452/90; A-11706)
.Il. A	n	(P-17452/90; A-11706)
.Il. B	n	(P-17452/90; A-11706)
.Il. C	n	(P-17452/90; A-11706)
.Il. D	n	(P-17452/90; A-11706)
.Il. E	n	(P-17452/90; A-11706)
.Il. F	n	(P-17452/90; A-11706)
.Il. G	n	(P-17452/90; A-11706)
.Il. H	n	(P-17452/90; A-11706)
.Il. I	n	(P-17452/90; A-11706)
.Il. J	n	(P-17452/90; A-11706)
500.Ap. F	n	(P-17452/90; A-11706)
.Il. A	n	(P-17452/90; A-11706)
.Il. B	n	(P-17452/90; A-11706)
.Il. C	n	(P-17452/90; A-11706)

TITLE 77 (CONT'D)

.Il. D	n	(P-17453/90; A-11706)
.Il. E	n	(P-17452/90; A-11706)
.Il. F	n	(P-17452/90; A-11706)
500.Ap. G	n	(P-17452/90; A-11706)
.Il. A	n	(P-17452/90; A-11706)
.Il. B	n	(P-17452/90; A-11706)
.Il. C	n	(P-17452/90; A-11706)
.Il. D	n	(P-17452/90; A-11706)
.Il. E	n	(P-17452/90; A-11706)
500.Ap. H	n	(P-17452/90; A-11706)
.Il. A	n	(P-17452/90; A-11706)
.Il. B	n	(P-17452/90; A-11706)
.Il. C	n	(P-17452/90; A-11706)
.Il. D	n	(P-17452/90; A-11706)
500.Ap. I	n	(P-17452/90; A-11706)
510.10	am	(P-418; A-7718)
510.60	am	(P-418; A-7718)
510.110	am	(P-418; A-7718) (E-612)
510.120	am	(P-418; A-7718)
510.130	am	(P-418; A-7718) (E-612)
535.10	am	(P-8120)
535.20	am	(P-8120)
535.60	am	(P-16237/90; A-5722)
535.150	am	(P-16237/90; A-5722)
535.200	am	(P-16237/90; A-5722)
535.210	am	(P-8120)
535.215	n	(P-16237/90; A-5722)
535.217	n	(P-8120)
535.1000	n	(P-8120)
535.Ap.A	n	(P-8120)
540.65	n	(P-10665/90; A-1084)
540.90	am	(P-10665/90; A-1084)
540.100	am	(P-10665/90; A-1084)
540.200	n	(P-10665/90; A-1084)
550.100	n	(P-10656/90; A-1068)
550.110	n	(P-10656/90; A-1068)
550.120	n	(P-10656/90; A-1068)
550.130	n	(P-10656/90; A-1068)
590.10	r	(P-8493/90; A-1830)
590.10	n	(P-8503/90; A-1833)
590.20	r	(P-8493/90; A-1830)
590.20	n	(P-8503/90; A-1833)
590.30	r	(P-8493/90; A-1830)
590.30	n	(P-8503/90; A-1833)
590.40	r	(P-8493/90; A-1830)
590.40	n	(P-8503/90; A-1833)
590.50	r	(P-8493/90; A-1830)
590.100	r	(P-8493/90; A-1830)
590.100	n	(P-8503/90; A-1833)
590.110	r	(P-8493/90; A-1830)
590.110	n	(P-8503/90; A-1833)
590.120	r	(P-8493/90; A-1830)
590.120	n	(P-8503/90; A-1833)
590.130	r	(P-8493/90; A-1830)
590.130	n	(P-8503/90; A-1833)
590.140	r	(P-8493/90; A-1830)
590.140	n	(P-8503/90; A-1833)
590.200	n	(P-8503/90; A-1833)
590.210	n	(P-8503/90; A-1833)
590.220	n	(P-8503/90; A-1833)
590.230	n	(P-8503/90; A-1833)
590.240	n	(P-8503/90; A-1833)
590.300	n	(P-8503/90; A-1833)
590.310	n	(P-8503/90; A-1833)
590.320	n	(P-8503/90; A-1833)
590.330	n	(P-8503/90; A-1833)
590.400	n	(P-8503/90; A-1833)
590.410	n	(P-8503/90; A-1833)
590.420	n	(P-8503/90; A-1833)
590.Ap. A	n	(P-8503/90; A-1833)
590.Ap. B	n	(P-8503/90; A-1833)
590.Ap. C	n	(P-8503/90; A-1833)
590.Ap. D	n	(P-8503/90; A-1833)
595.10	am	(P-3398)
595.100	am	(P-3398)
595.110	am	(P-3398)
595.200	am	(P-3398)
595.300	am	(P-3398)
595.310	am	(P-3398)
595.320	am	(P-3398)
595.Ap. A	am	(P-3398)
595.Ap. B	am	(P-3398)
630.25	am	(P-15726/90; A-13874)
630.70	am	(P-15726/90; A-13874)
630.220	am	(P-15726/90; A-13874)
665.240	am	(P-17867/90; A-7706)
690.100	am	(P-16810/90; A-11679)
692.10	n	(P-14389) (E-14699)
692.Ap. A	n	(P-14389) (E-14699)
692.Ap. B	n	(P-14389) (E-14699)
693.10	am	(P-16817/90; A-11686) (E-16462)
693.15	am	(P-16817/90; A-11686) (E-16462)
693.20	am	(P-16817/90; A-11686)
693.30	am	(P-16817/90; A-11686) (E-16462)
693.40	am	(P-16817/90; A-11686) (E-16462)
693.45	n	(E-16462)
693.80	am	(P-16817/90; A-11686)
693.100	am	(E-16462)
693.140	am	(P-16817/90; A-11686)
694.220	am	(P-6972)
695.10	am	(P-17873/90; A-7712)
697.20	am	(P-16779/90; A-11646)
697.30	am	(P-16779/90; A-11646)
697.100	am	(P-16779/90; A-11646)
697.120	am	(P-16779/90; A-11646)
697.130	am	(P-16779/90; A-11646)
697.140	am	(P-16779/90; A-11646)
697.150	r	(P-16779/90; A-11646)
697.160	am	(P-16779/90; A-11646)
697.170	am	(P-16779/90; A-11646)
697.180	am	(P-16779/90; A-11646)
697.300	am	(P-16779/90; A-11646)
697.Ap. A	r	(P-16779/90; A-11646)
697.Ap. B	am	(P-16779/90; A-11646)
697.10	am	(P-16779/90; A-11646)
710.210	am	(P-15246/90; W-675)
790.40	am	(P-15943) (E-16484)
790.500	am	(P-3417; A-11791) (E-3537)
790.600	am	(P-11070; E-11194) (P-15943) (E-16484)
790.740	am	(P-11070; E-11194)
790.799	am	(P-15943) (E-16484)
790.780	am	(P-3417; A-11791) (E-3537)

TITLE 77 (CONT'D)

790.910	am	(P-11070; E-11194)
790.920	am	(P-15943) (E-16484)
790.1107	n	(P-3417; A-11791) (E-3537)
790.1112	n	(P-3417; A-11791) (E-3537)
790.1127	am	(P-18457/90; A-6566) (P-11070; E-11194)
790.1131	am	(P-18457/90; A-6566)
790.1350	n	(P-11070; E-11194) (P-15943) (E-16484)
790.1388	n	(P-15943) (E-16484)
790.1390	n	(P-18457/90; A-6566)
790.1418	am	(P-3417; A-11791) (E-3537)
790.1420	am	(P-3417; A-11791) (E-3537)
790.1423	am	(P-18457/90; A-6566)
790.1425	am	(P-3417; A-11791) (E-3537)
790.1560	am	(P-11070; E-11194)
790.1573	n	(P-11070; E-11194)
790.1685	am	(P-18457/90; A-6566)
790.1710	am	(P-3417; A-11791) (E-3537)
790.1740	am	(P-3417; A-11791) (E-3537)
790.1870	n	(P-11070; E-11194)
790.1930	am	(P-11070; E-11194)
790.1950	am	(P-18457/90; A-6566) (P-15943) (E-16484)
790.1960	am	(P-18457/90; A-6566)
790.2020	am	(P-3417; A-11791) (E-3537)
790.2060	am	(P-11070; E-11194)
790.2130	am	(P-3417; A-11791) (E-3537)
790.2155	am	(P-18457/90; A-6566)
790.2180	am	(P-11070; E-11194)
790.2465	am	(P-18457/90; A-6566)
790.2485	am	(P-3417; A-11791) (E-3537) (P-15943) (E-16484)
790.2580	am	(P-3417; A-11791) (E-3537) (P-15943) (E-16484)
790.2603	am	(P-15943) (E-16484)
790.2613	am	(P-15943) (E-16484)
790.2617	am	(P-18457/90; A-6566)
790.2618	am	(P-18457/90; A-6566) (P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.2645	n	(P-18457/90; A-6566)
790.2655	am	(P-18457/90; A-6566) (P-11070; E-11194)
790.2660	r	(P-18457/90; A-6566)
790.2661	am	(P-11070; E-11194)
790.2662	am	(P-18457/90; A-6566) (P-11070; E-11194)
790.2740	am	(P-11070; E-11194)
790.2805	am	(P-15943) (E-16484)
790.2820	am	(P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.2902	am	(P-3417; A-11791) (E-3537)
790.2908	r	(P-11070; E-11194)
790.3020	am	(P-3417; A-11791) (E-3537) (P-11070) (E-11194)
790.3027	am	(P-18457/90; A-6566) (P-11070; E-11194) (P-15943) (E-16484)
790.3060	am	(P-3417; A-11791) (E-3537)
790.3140	am	(P-3417; A-11791) (E-3537)
790.3220	am	(P-18457/90; A-6566) (P-11070; E-11194)
790.3308	n	(P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.3315	am	(P-3417; A-11791) (E-3537)
790.3335	am	(P-18457/90; A-6566)
790.3340	am	(P-11070; E-11194)
790.3350	am	(P-18457/90; A-6566)
790.3420	am	(P-11070; E-11194)
790.3488	n	(P-3417; A-11791) (E-3537)
790.3540	am	(P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.3620	am	(P-11070; E-11194)
790.3720	am	(P-11070; E-11194)
790.3907	am	(P-11070; E-11194)
790.3910	am	(P-11070; E-11194) (P-15943) (E-16484)
790.3914	am	(P-18457/90; A-6566)
790.3940	am	(P-3417; A-11791) (E-3537)
790.3945	am	(P-11070; E-11194)
790.4040	am	(P-15943) (E-16484)
790.4060	am	(P-3417; A-11791) (E-3537)
790.4140	am	(P-11070; E-11194)
790.4384	am	(P-18457/90; A-6566)
790.4385	n	(P-11070; E-11194)
790.4420	am	(P-3417; A-11791) (E-3537)
790.4495	n	(P-3417; EA-11791) (-3537)
790.4580	am	(P-3417; A-11791) (E-3537)
790.4660	am	(P-3417; A-11791) (E-3537)
790.4667	am	(P-11070; E-11194)
790.4720	am	(P-18457/90; A-6566)
790.4725	am	(P-18457/90; A-6566) (P-11070; E-11194)
790.4728	am	(P-18457/90; A-6566)
790.4740	am	(P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.4940	am	(P-11070; E-11194)
790.5030	n	(P-18457/90; A-6566)
790.5180	am	(P-15943) (E-16484)
790.5220	am	(P-3417; A-11791) (E-3537)
790.5300	am	(P-18457/90; A-6566)
790.5312	am	(P-3417; A-11791) (E-3537) (P-15943) (E-16484)
790.5320	am	(P-18457/90; A-6566) (P-11070; E-11194) (P-15943) (E-16484)
790.5380	am	(P-15943) (E-16484)
790.5420	am	(P-3417; A-11791) (E-3537)
790.5483	am	(P-3417; A-11791) (E-3537)
790.5540	am	(P-11070; E-11194)
790.5640	am	(P-15943) (E-16484)
790.5660	am	(P-3417; A-11791) (E-3537)
790.5740	am	(P-11070; E-11194)
790.5792	am	(P-11070; E-11194)
790.5820	am	(P-3417; A-11791) (E-3537)
790.5830	am	(P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.5840	am	(P-11070; E-11194)
790.5900	am	(P-3417; A-11791) (E-3537)
790.5924	am	(P-3417; A-11791) (E-3537)
790.5940	am	(P-11070; E-11194)
790.6020	am	(P-11070; E-11194)
790.6180	am	(P-11070; E-11194)
790.6300	am	(P-3417; A-11791) (E-3537)
790.6370	am	(P-15943) (E-16484)

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790.6430	am	(P-18457/90; A-6566) (P-11070; E-11194)
790.6435	am	(P-11070; E-11194)
790.6500	am	(P-11070; E-11194)
790.6505	n	(P-3417; A-11791) (E-3537)
790.6610	am	(P-11070; E-11194)
790.6875	am	(P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.6960	am	(P-3417; A-11791) (E-3537)
790.7120	am	(P-3417; A-11791) (E-3537)
790.7160	am	(P-18457/90; A-6566)
790.7221	n	(P-3417; A-11791) (E-3537)
790.7245	am	(P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.7280	am	(P-18457/90; A-6566)
790.7278	am	(P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.7280	am	(P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.7294	r	(P-11070; E-11194)
790.7340	am	(P-11070; E-11194)
790.7380	am	(P-11070; E-11194)
790.7740	am	(P-3417; A-11791) (E-3537)
790.7820	am	(P-3417; A-11791) (E-3537)
790.7828	am	(P-11070; E-11194)
790.7828	am	(P-15943) (E-16484)
790.8015	am	(P-3417; A-11791) (E-3537) (P-18457/90; A-6566)
790.8020	am	(P-3417; A-11791) (E-3537)
790.8106	am	(P-11070; E-11194)
790.8140	am	(P-11070; E-11194)
790.8290	am	(P-3417; A-11791) (E-3537)
790.8420	am	(P-11070; E-11194)
790.8500	am	(P-3417; A-11791) (E-3537)
790.8580	am	(P-3417; A-11791) (E-3537) (P-15943) (E-16484)
790.8620	am	(P-3417; A-11791) (E-3537)
790.8710	am	(P-11070; E-11194)
790.9048	am	(P-18457/90; A-6566) (P-11070; E-11194) (P-15943) (E-16484)
790.9050	am	(P-15943) (E-16484)
790.9056	am	(P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.9084	am	(P-11070; E-11194)
790.9100	am	(P-15943) (E-16484)
790.9220	am	(P-3417; A-11791) (E-3537)
790.9320	r	(P-11070; E-11194)
790.9420	am	(P-3417; A-11791) (E-3537)
790.9460	am	(P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.9500	am	(P-3417; A-11791) (E-3537)
790.9580	am	(P-3417; A-11791) (E-3537)
895.10	am	(P-5005)
895.20	am	(P-5005)
895.30	am	(P-5005)
895.40	am	(P-5005)
895.50	am	(P-5005)
905.10	am	(P-16305/90; W-13202)
905.15	am	(P-16305/90; W-13202)
905.20	am	(P-16305/90; W-13202)
905.30	am	(P-16305/90; W-13202)
905.40	am	(P-16305/90; W-13202)
905.50	am	(P-16305/90; W-13202)
905.55	am	(P-16305/90; W-13202)
905.60	am	(P-16305/90; W-13202)
905.70	am	(P-16305/90; W-13202)
905.80	am	(P-16305/90; W-13202)
905.90	am	(P-16305/90; W-13202)
905.100	am	(P-16305/90; W-13202)
905.110	am	(P-16305/90; W-13202)
905.120	am	(P-16305/90; W-13202)
905.125	am	(P-16305/90; W-13202)
905.130	am	(P-16305/90; W-13202)
905.140	am	(P-16305/90; W-13202)
905.150	am	(P-16305/90; W-13202)
905.160	am	(P-16305/90; W-13202)
905.170	am	(P-16305/90; W-13202)
905.180	am	(P-16305/90; W-13202)
905.190	am	(P-16305/90; W-13202)
905.200	am	(P-16305/90; W-13202)
905.210	am	(P-16305/90; W-13202)
905.Ap.A	am	(P-16305/90; W-13202)
905.Ap.B	am	(P-16305/90; W-13202)
920.10	am	(P-6460)
920.15	am	(P-6460)
920.20	am	(P-6460)
920.30	am	(P-6460)
920.40	am	(P-6460)
920.50	am	(P-6460)
920.60	am	(P-6460)
920.70	am	(P-6460)
920.80	am	(P-6460)
920.90	am	(P-6460)
920.100	am	(P-6460)
920.110	am	(P-6460)
920.120	am	(P-6460)
920.130	am	(P-6460)
920.170	n	(P-6460)
920.180	n	(P-6460)
920.Tb.A	am	(P-6460)
920.Tb. B	am	(P-6460)
920.Il. H	n	(P-6460)
925.10	am	(P-6498)
925.15	am	(P-6498)
925.20	am	(P-6498)
925.30	am	(P-6498)
925.40	am	(P-6498)
925.50	am	(P-6498)
925.Il. A	am	(P-6498)
1100.70	am	(P-15255)
1100.220	am	(P-15255)
1100.330	am	(P-15255)
1100.340	am	(P-15255)
1100.350	am	(P-15255)
1100.410	am	(P-15255)
1100.420	am	(P-15255)
1100.430	n	(P-15255)
1100.510	am	(P-15255)
1100.520	am	(P-15255)
1100.530	am	(P-15255)
1100.540	am	(P-15255)
1100.550	am	(P-15255)
1100.560	am	(P-15255)
1100.570	am	(P-15255)
1100.580	am	(P-15255)
1100.590	am	(P-15255)

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1100.610	am	(P-15255)
1100.630	am	(P-15255)
1100.660	am	(P-15255)
1100.670	am	(P-15255)
1100.720	n	(P-15255)
1100.730	n	(P-15255)
1110.20	r	(P-15299)
1110.30	am	(P-15299)
1110.40	am	(P-15299)
1110.55	am	(P-15299)
1110.230	am	(P-15299)
1110.240	n	(P-15299)
1110.320	am	(P-15299)
1110.420	am	(P-15299)
1110.530	am	(P-15299)
1110.630	am	(P-15299)
1110.730	am	(P-15299)
1110.830	am	(P-15299)
1110.910	am	(P-15299)
1110.920	am	(P-15299)
1110.930	am	(P-15299)
1110.1030	am	(P-15299)
1110.1210	am	(P-15299)
1110.1220	am	(P-15299)
1110.1230	am	(P-15299)
1110.1410	am	(P-15299)
1110.1420	am	(P-15299)
1110.1430	am	(P-15299)
1110.1730	am	(P-15299)
1110.1830	am	(P-15299)
1110.2030	am	(P-15299)
1110.2310	am	(P-15299)
1110.2320	am	(P-15299)
1110.2330	am	(P-15299)
1110.2410	n	(P-15299)
1110.2420	n	(P-15299)
1110.2430	n	(P-15299)
1130.420	n	(E-4787; O-8319) (P-6100; W-13201)
1130.Ap. A	n	(P-428; A-9731)
2030.10	r	(P-9153)
2030.10	n	(P-9083)
2030.20	r	(P-9153)
2030.20	n	(P-9083)
2030.30	r	(P-9153)
2030.30	n	(P-9083)
2030.40	r	(P-9153)
2030.40	n	(P-9083)
2030.50	r	(P-9153)
2030.100	n	(P-9083)
2030.105	n	(P-9083)
2030.107	n	(P-9083)
2030.110	r	(P-9153)
2030.110	n	(P-9083)
2030.115	n	(P-9083)
2030.120	r	(P-9153)
2030.120	n	(P-9083)
2030.130	r	(P-9153)
2030.130	n	(P-9083)
2030.140	n	(P-9083)
2030.150	n	(P-9083)
2030.160	n	(P-9083)
2030.210	r	(P-9153)
2030.210	n	(P-9083)
2030.220	r	(P-9153)
2030.220	n	(P-9083)
2030.230	r	(P-9153)
2030.230	n	(P-9083)
2030.310	r	(P-9153)
2030.310	n	(P-9083)
2030.320	r	(P-9153)
2030.320	n	(P-9083)
2030.330	r	(P-9153)
2030.330	n	(P-9083)
2030.340	r	(P-9153)
2030.340	n	(P-9083)
2030.350	r	(P-9153)
2030.350	n	(P-9083)
2030.360	n	(P-9083)
2030.410	r	(P-9153)
2030.410	n	(P-9083)
2030.420	r	(P-9153)
2030.420	n	(P-9083)
2030.430	r	(P-9153)
2030.430	n	(P-9083)
2030.440	r	(P-9153)
2030.440	n	(P-9083)
2030.450	r	(P-9153)
2030.450	n	(P-9083)
2030.510	n	(P-9083)
2030.520	n	(P-9083)
2030.530	n	(P-9083)
2030.540	n	(P-9083)
2030.550	n	(P-9083)
2030.610	r	(P-9153)
2030.610	n	(P-9083)
2030.620	r	(P-9153)
2030.620	n	(P-9083)
2030.630	r	(P-9153)
2030.640	r	(P-9153)
2030.710	r	(P-9153)
2030.710	n	(P-9083)
2030.720	r	(P-9153)
2030.720	n	(P-9083)
2030.730	r	(P-9153)
2030.730	n	(P-9083)
2030.740	r	(P-9153)
2030.740	n	(P-9083)
2030.750	r	(P-9153)
2030.750	n	(P-9083)
2030.760	r	(P-9153)
2030.760	n	(P-9083)
2030.810	r	(P-9153)
2030.810	n	(P-9083)
2030.820	r	(P-9153)
2030.820	n	(P-9083)
2030.830	n	(P-9083)
2030.840	n	(P-9083)
2030.850	n	(P-9083)
2030.910	r	(P-9153)
2030.910	n	(P-9083)
2030.920	r	(P-9153)
2030.930	r	(P-9153)
2030.940	r	(P-9153)
2030.950	r	(P-9153)
2030.960	r	(P-9153)
2030.970	r	(P-9153)

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2030.980	r	(P-9153)
2030.1010	r	(P-9153)
2030.1010	n	(P-9083)
2030.1020	r	(P-9153)
2030.1020	n	(P-9083)
2030.1030	r	(P-9153)
2030.1030	n	(P-9083)
2030.1040	r	(P-9153)
2030.1040	n	(P-9083)
2030.1010	r	(P-9153)
2030.1050	n	(P-9083)
2030.1060	n	(P-9083)
2030.1070	n	(P-9083)
2030.1080	n	(P-9083)
2030.1090	n	(P-9083)
2030.1110	r	(P-9153)
2030.1110	n	(P-9083)
2030.1120	r	(P-9153)
2030.1120	n	(P-9083)
2030.1130	r	(P-9153)
2030.1130	n	(P-9083)
2030.1140	r	(P-9153)
2030.1140	n	(P-9083)
2030.1150	n	(P-9083)
2030.1160	n	(P-9083)
2030.1205	r	(P-9153)
2030.1205	n	(P-9083)
2030.1210	r	(P-9153)
2030.1210	n	(P-9083)
2030.1215	r	(P-9153)
2030.1215	n	(P-9083)
2030.1220	r	(P-9153)
2030.1220	n	(P-9083)
2030.1225	r	(P-9153)
2030.1225	n	(P-9083)
2030.1230	r	(P-9153)
2030.1230	n	(P-9083)
2030.1235	r	(P-9153)
2030.1240	r	(P-9153)
2030.1245	r	(P-9153)
2030.1245	n	(P-9083)
2030.1250	r	(P-9153)
2030.1250	n	(P-9083)
2030.1255	r	(P-9153)
2030.1255	n	(P-9083)
2030.1260	r	(P-9153)
2030.1265	r	(P-9153)
2030.1265	n	(P-9083)
2030.1270	r	(P-9153)
2030.1310	r	(P-9153)
2030.1320	r	(P-9153)
2030.1320	n	(P-9083)
2030.1330	r	(P-9153)
2030.1340	r	(P-9153)
2030.1350	r	(P-9153)
2031.10	r	(P-9149)
2032.10	r	(P-9218)
2032.15	r	(P-9218)
2032.20	r	(P-9218)
2032.25	r	(P-9218)
2032.30	r	(P-9218)
2032.35	r	(P-9218)
2032.40	r	(P-9218)
2032.45	r	(P-9218)
2032.50	r	(P-9218)
2032.55	r	(P-9218)
2032.60	r	(P-9218)
2058.105	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.110	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.115	am	(P-8337; A-13708)
2058.120	am	(P-6457/90; A-2597)
2058.125	am	(P-6457/90; A-2597)
2058.130	am	(P-8337)
2058.135	r	(P-8337; A-13708)
2058.200	am	(P-8337; A-13708)
2058.205	am	(P-8337; A-13708)
2058.220	am	(P-8337; A-13708)
2058.230	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.235	am	(P-6457/90; A-2597)
2058.303	am	(P-6457/90; A-2597)
2058.303	r	(P-8337; A-13708)
2058.306	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.309	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.312	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.315	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.318	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.319	n	(P-6457/90; A-2597)
2058.321	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.324	am	(P-8337; A-13708)
2058.327	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.330	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.333	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.336	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.342	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.343	n	(P-6457/90; A-2597)
2058.343	am	(P-8337; A-13708)
2058.348	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.351	am	(P-8337; A-13708)
2058.354	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.357	am	(P-8337; A-13708)
2058.360	am	(P-8337; A-13708)
2058.363	am	(P-8337; A-13708)
2058.366	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.369	am	(P-8337; A-13708)
2058.372	am	(P-8337; A-13708)
2058.374	am	(P-8337; A-13708)
2058.376	am	(P-8337; A-13708)
2058.378	am	(P-8337; A-13708)
2058.380	am	(P-8337; A-13708)
2058.382	am	(P-8337; A-13708)

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2058.384	am	(P-8337; A-13708)
2058.386	am	(P-8337; A-13708)
2058.388	am	(P-8337; A-13708)
2058.390	am	(P-8337; A-13708)
2058.392	am	(P-8337; A-13708)
2058.394	am	(P-8337; A-13708)
2058.396	am	(P-8337; A-13708)
2058.400	am	(P-6457/90; A-2597)
2058.405	am	(P-6457/90; A-2597)
2058.410	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.600	am	(P-6457/90; A-2597) (P-8337; A-13708)
2058.602	am	(P-8337; A-13708)
2058.603	am	(P-8337; A-13708)
2058.630	am	(P-8337; A-13708)
2058.700	am	(P-8337; A-13708)
2058.705	am	(P-6457/90; A-2597)
2058.805	am	(P-6457/90; A-2597)
2058.900	am	(P-6457/90; A-2597)
2058.905	am	(P-6457/90; A-2597)
2090.10	am	(P-9785) (E-10222)
2090.20	am	(P-9785) (E-10222)
2090.30	am	(P-9785) (E-10222)
2090.40	am	(P-9785) (E-10222)
2090.50	am	(P-9785) (E-10222)
2530.Ap. B	am	(P-17428/90; A-1821)

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150.430	am	(P-5200; A-11007)
302.600	am	(P-11859)
303.102	am	(P-4801; A-14067) (E-5076)
303.125	am	(P-17399/90; A-5214)
303.290	am	(P-4801; A-14067) (E-5076)
303.380	n	(P-4801; A-14067) (E-5076)
310.30	am	(P-4497; A-11080)
310.40	am	(P-4497; A-11080)
310.100	am	(P-6364; A-14210)
310.110	am	(P-12051)
310.130	am	(P-12051)
310.230	am	(P-6364; A-14210)
310.280	am	(P-4497; A-11080) (P-12051)
310.290	am	(P-4497; A-11080) (P-12051)
310.320	am	(P-4497; A-11080)
310.230	am	(P-14657/90; A-3296)
310.450	am	(P-5147; A-13080) (E-10485)
310.490	am	(P-6364; A-14210)
310.530	am	(P-5147; A-13080) (E-10485)
310.540	am	(P-5147; A-13080) (E-10485)
310.Ap.A	am	(PP-663) (P-14657/90; A-3296) (P-4497; W-5920) (PP-5465)
Tb. A	am	(P-4497; W-5920) (PP-5465) (C-11537)
Tb. B	am	(P-4497; W-5920) (PP-5465) (P-12051) (C-11537)
Tb. C	am	(P-4497)
Tb. D	am	(P-14657/90; A-3296) (P-4497; A-11080)
Tb. E	am	(P-14657/90; A-3296) (P-4497; A-11080)
Tb. F	am	(P-14657/90; A-3296) (P-4497; A-11080)
Tb. J	am	(P-4497; A-11080)
Tb. P	am	(PP-663) (P-4497; A-11080) (PP-5100)
Tb. U	am	(P-4497; A-11080)
310.Ap.C	am	(P-15186/90; A-4401) (P-5147; A-13080) (E-10485)
310.Ap. D	am	(P-5147; A-13080) (E-10485)
1540.330	am	(P-18712/90; A-7379)
1650.180	am	(P-10574)
1650.210	am	(P-10574)
1650.230	am	(P-10574)
1650.270	am	(P-10574)
1650.320	am	(P-10574)
1650.325	am	(P-10574)
1650.410	am	(P-10574)
1650.440	am	(P-10574)
1650.450	am	(P-10574)
2110.30	am	(P-12064)
2110.210	am	(P-12064)
2110.440	am	(P-12064)
2110.520	am	(P-12064)
2110.610	am	(P-12064)
2120.30	am	(P-12074)
2120.210	am	(P-12074)
2120.220	am	(P-12074)
2120.310	am	(P-12074)
2120.440	am	(P-12074)
2120.510	am	(P-12074)
2120.520	am	(P-12074)
2120.610	am	(P-12074)
2800.240	am	(P-12963) (E-13196; O-16523)
2800.650	n	(P-15199)

TITLE 83

220.5	am	(P-15653/90; A-5056)
220.10	am	(P-15653/90; A-5056)
220.20	am	(P-15653/90; A-5056)
220.30	am	(P-15653/90; A-5056)
220.40	am	(P-15653/90; A-5056)
220.50	am	(P-15653/90; A-5056)
280.100	am	(P-9801)
285.210	am	(P-9807; A-16050)
315.10	am	(P-13585)
315.20	am	(P-13585)
315.30	am	(P-13585)
315.40	n	(P-13585)
315.50	n	(P-13585)
315.60	n	(P-13585)
410.360	r	(P-11899)
445.40	am	(P-11025)
445.50	am	(P-11025)
445.70	am	(P-11025)
500.335	r	(P-11905)
710.1	am	(P-20565/90; A-8205)
710.1000	am	(P-20565/90; A-8205)
730.100	n	(P-1627; A-16060)
730.101	r	(P-1650; A-16082)
730.102	r	(P-1650; A-16082)
730.103	r	(P-1650; A-16082)
730.105	n	(P-1627; A-16060)
730.200	n	(P-1627; A-16060)
730.201	r	(P-1650; A-16082)
730.202	r	(P-1650; A-16082)
730.203	r	(P-1650; A-16082)
730.300	n	(P-1627; A-16060)

TITLE 83 (CONT'D)

730.305	n	(P-1627; A-16060)
730.310	n	(P-1627; A-16060)
730.315	n	(P-1627; A-16060)
730.320	n	(P-1627; A-16060)
730.325	n	(P-1627; A-16060)
730.330	n	(P-1627; A-16060)
730.335	n	(P-1627; A-16060)
730 400	n	(P-1627; A-16060)
730.401	r	(P-1650; A-16082)
730.402	r	(P-1650; A-16082)
730.403	r	(P-1650; A-16082)
730.404	r	(P-1650; A-16082)
730.405	n	(P-1627; A-16060)
730.405	r	(P-1650; A-16082)
730.406	r	(P-1650; A-16082)
730.407	r	(P-1650; A-16082)
730.408	r	(P-1650; A-16082)
730.409	r	(P-1650; A-16082)
730.410	n	(P-1627; A-16060)
730.415	n	(P-1627; A-16060)
730.420	n	(P-1627; A-16060)
730.425	n	(P-1627; A-16060)
730.430	n	(P-1627; A-16060)
730.435	n	(P-1627; A-16060)
730.440	n	(P-1627; A-16060)
730.445	n	(P-1627; A-16060)
730.450	n	(P-1627; A-16060)
730.500	n	(P-1627; A-16060)
730.501	r	(P-1650; A-16082)
730.502	r	(P-1650; A-16082)
730.503	r	(P-1650; A-16082)
730.504	r	(P-1650; A-16082)
730.505	n	(P-1627; A-16060)
730.505	r	(P-1650; A-16082)
730.506	r	(P-1650; A-16082)
730.507	r	(P-1650; A-16082)
730.508	r	(P-1650; A-16082)
730.509	r	(P-1650; A-16082)
730.510	n	(P-1627; A-16060)
730.510	r	(P-1650; A-16082)
730.511	r	(P-1650; A-16082)
730.515	n	(P-1627; A-16060)
730.520	n	(P-1627; A-16060)
730.525	n	(P-1627; A-16060)
730.530	n	(P-1627; A-16060)
730.535	n	(P-1627; A-16060)
730.540	n	(P-1627; A-16060)
730.600	n	(P-1627; A-16060)
730.601	r	(P-1650; A-16082)
730.602	r	(P-1650; A-16082)
730.603	r	(P-1650; A-16082)
730.604	r	(P-1650; A-16082)
730.605	n	(P-1627; A-16060)
730.605	r	(P-1650; A-16082)
730.606	r	(P-1650; A-16082)
730.607	r	(P-1650; A-16082)
730.608	r	(P-1650; A-16082)
730.609	r	(P-1650; A-16082)
730.610	r	(P-1650; A-16082)
730.611	r	(P-1650; A-16082)
730.700	n	(P-1627; A-16060)
730.701	r	(P-1650; A-16082)
730.702	r	(P-1650; A-16082)
730.703	r	(P-1650; A-16082)
730.705	n	(P-1627; A-16060)
730.710	n	(P-1627; A-16060)
730.715	n	(P-1627; A-16060)
730.720	n	(P-1627; A-16060)
730.725	n	(P-1627; A-16060)
730.801	r	(P-1650; A-16082)
730.802	r	(P-1650; A-16082)
730.803	r	(P-1650; A-16082)
730.804	r	(P-1650; A-16082)
730.805	r	(P-1650; A-16082)
755.10	am	(P-19109/90; A-5624)
755.25	am	(P-19109/90; A-5624)
755.105	am	(P-19109/90; A-5624)
755.110	am	(P-19109/90; A-5624)
755.115	am	(P-19109/90; A-5624)
755.200	am	(P-19109/90; A-5624)
755.205	am	(P-19109/90; A-5624)
755.210	am	(P-19109/90; A-5624)
755.405	am	(P-19109/90; A-5624)
756.125	am	(P-18675/90; A-5618)
756.220	am	(P-18675/90; A-5618)
757.		(RC-5111)
757.10	r	(P-4803; A-11926) (E-5082)
757.15	r	(P-4803; A-11926) (E-5082)
757.100	r	(P-4803; A-11926) (E-5082)
757.105	r	(P-4803; A-11926) (E-5082)
757.110	r	(P-4803; A-11926) (E-5082)
757.115	r	(P-4803; A-11926) (E-5082)
757.120	r	(P-4803; A-11926) (E-5082)
757.200	r	(P-4803; A-11926) (E-5082)
757.205	r	(P-4803; A-11926) (E-5082)
757.300	r	(P-4803; A-11926) (E-5082)
757.310	r	(P-4803; A-11926) (E-5082)
757.320	r	(P-4803; A-11926) (E-5082)
757.330	r	(P-4803; A-11926) (E-5082)
757.340	r	(P-4803; A-11926) (E-5082)
757.350	r	(P-4803; A-11926) (E-5082)
757.400	r	(P-4803; A-11926) (E-5082)
757.410	r	(P-4803; A-11926) (E-5082)
757.Ex.A	r	(P-4803; A-11926) (E-5082)
757.Ex.B	r	(P-4803; A-11926) (E-5082)
757.Ex.C	r	(P-4803; A-11926) (E-5082)
757.Ex.D	r	(P-4803; A-11926) (E-5082)
760.20	am	(P-14340)
780.5	n	(P-13100/90; A-5062)
780.10	n	(P-13100/90; A-5062)
780.20	n	(P-13100/90; A-5062)
780.30	n	(P-13100/90; A-5062)

TITLE 86

110.160	am	(P-14321/90; A-3522)
110.190	n	(P-14196) (E-14297)
130.101	am	(P-20194/90; A-6621)
130.120	am	(P-20194/90; A-6621; O-6792)
130.210	am	(P-20194/90; A-6621)
130.305	am	(P-20194/90; A-6621)
130.320	am	(P-20194/90; A-6621)
130.321	n	(P-20194/90; A-6621)
130.325	am	(P-20194/90; A-6621)
130.330	am	(P-20194/90; A-6621)
130.335	am	(P-20194/90; A-6621)
130.345	am	(P-20194/90; A-6621)
130.350	am	(P-20194/90; A-6621)

TITLE 86 (CONT'D)

130.401	am	(P-20194/90; A-6621)
130.405	am	(P-20194/90; A-6621)
130.415	am	(P-20194/90; A-6621)
130.425	am	(P-20194/90; A-6621)
130.430	am	(P-20194/90; A-6621)
130.435	am	(P-20194/90; A-6621)
130.440	am	(P-20194/90; A-6621)
130.501	am	(P-20194/90; A-6621)
130.502	n	(P-20194/90; A-6621)
130.510	am	(P-20194/90; A-6621)
130.530	am	(P-20194/90; A-6621)
130.535	am	(P-20194/90; A-6621)
130.540	am	(P-20194/90; A-6621)
130.605	am	(P-20194/90; A-6621)
130.701	am	(P-20194/90; A-6621)
130.901	am	(P-5021;A-13542) (P-20194/90; A-6621)
130.905	am	(P-20194/90; A-6621)
130.910	am	(P-20194/90; A-6621)
130.1401	am	(P-20194/90; A-6621)
130.1405	am	(P-20194/90; A-6621)
130.1410	r	(P-20194/90; A-6621)
130.1415	am	(P-20194/90; A-6621)
130.1420	r	(P-20194/90; A-6621)
130.1501	am	(P-20194/90; A-6621)
130.1505	am	(P-20194/90; A-6621)
130.1701	am	(P-20194/90; A-6621)
130.1920	am	(P-20194/90; A-6621)
130.1930	am	(P-20194/90; A-6621)
130.1950	am	(P-20194/90; A-6621)
130.1951	am	(P-20194/90; A-6621) (P-8167; A-15757)
130.1955	am	(P-20194/90; A-6621)
130.1970	am	(P-20194/90; A-6621)
130.1980	am	(P-20194/90; A-6621)
130.1990	am	(P-20194/90; A-6621)
130.2005	am	(P-20194/90; A-6621)
130.2007	am	(P-20194/90; A-6621)
130.2008	n	(P-20194/90; A-6621)
130.2010	am	(P-20194/90; A-6621)
130.2035	am	(P-20194/90; A-6621)
130.2040	am	(P-20194/90; A-6621)
130.2055	am	(P-20194/90; A-6621)
130.2060	am	(P-20194/90; A-6621)
130.2075	am	(P-20194/90; A-6621)
130.2080	am	(P-20194/90; A-6621)
130.2085	am	(P-20194/90; A-6621)
130.2090	am	(P-20194/90; A-6621)
130.2105	am	(P-20194/90; A-6621)
130.2115	am	(P-20194/90; A-6621)
130.2140	am	(P-20194/90; A-6621)
130.2145	am	(P-20194/90; A-6621; O-6792)
130.2150	am	(P-20194/90; A-6621)
130.2165	am	(P-20194/90; A-6621)
130.II. A	n	(P-20194/90; A-6621)
140.101	am	(P-19779/90; A-5834)
140.301	am	(P-17916/90; A-5834)
150.101	am	(P-19804/90; A-5861)
150.105	am	(P-19804/90; A-5861)
150.135	am	(P-19804/90; A-5861)
150.201	am	(P-19804/90; A-5861)
150.405	am	(P-19804/90; A-5861)
150.710	am	(P-19804/90; A-5861)
150.725	am	(P-19804/90; A-5861)
150.905	am	(P-19804/90; A-5861)
150.1101	am	(P-19804/90; A-5861)
150.1310	am	(P-19804/90; A-5861)
150.1401	am	(P-19804/90; A-5861)
150.1405	am	(P-19804/90; A-5861)
160.101	am	(P-19788/90; A-5845)
160.105	am	(P-19788/90; A-5845)
160.115	am	(P-19788/90; A-5845)
160.135	am	(P-19788/90; A-5845)
160.150	am	(P-19788/90; A-5845)
160.155	am	(P-19788/90; A-5845)
180.101	am	(P-15948)
180.130	am	(P-15948)
180.140	am	(P-15948)
180.145	am	(P-15948)
190.101	am	(P-15958)
190.110	am	(P-15958)
190.120	am	(P-15958)
190.170	am	(P-15958)
190.175	am	(P-15958)
200.115	am	(P-14754/90; A-3518)
220.101	am	(P-19706/90; A-5783)
220.105	am	(P-19706/90; A-5783)
220.110	am	(P-19706/90; A-5783)
220.115	am	(P-19706/90; A-5783)
220.120	am	(P-19706/90; A-5783)
220.125	am	(P-19706/90; A-5783)
220.130	am	(P-19706/90; A-5783)
230.101	am	(P-19717/90; A-5796)
230.105	am	(P-19717/90; A-5796)
230.110	am	(P-19717/90; A-5796)
230.115	am	(P-19717/90; A-5796)
230.120	am	(P-19717/90; A-5796)
230.125	am	(P-19717/90; A-5796)
230.130	am	(P-19717/90; A-5796)
240.101	r	(P-19725/90; A-5781)
240.105	r	(P-19725/90; A-5781)
240.110	r	(P-19725/90; A-5781)
240.115	r	(P-19725/90; A-5781)
240.120	r	(P-19725/90; A-5781)
270.101	am	(P-15251/90; A-3507)
270.105	am	(P-15251/90; A-3507)
270.110	am	(P-15251/90; A-3507)
270.115	am	(P-15251/90; A-3507)
270.120	am	(P-15251/90; A-3507)
270.125	am	(P-15251/90; A-3507)
270.130	am	(P-15251/90; A-3507)
280.101	am	(P-17908/90; A-6290)
280.105	am	(P-17908/90; A-6290)
280.110	am	(P-17908/90; A-6290)
280.115	am	(P-17908/90; A-6290)
280.120	am	(P-17908/90; A-6290)
280.125	am	(P-17908/90; A-6290)
280.130	am	(P-17908/90; A-6290)
290.101	r	(P-19751/90; A-5820)
290.105	r	(P-19751/90; A-5820)
290.110	r	(P-19751/90; A-5820)
290.115	r	(P-19751/90; A-5820)
290.120	r	(P-19751/90; A-5820)
320.101	am	(P-19756/90; A-6316)
320.105	am	(P-19756/90; A-6316)
320.110	am	(P-19756/90; A-6316)
320.115	am	(P-19756/90; A-6316)

TITLE 86 (CONT'D)

320.120	am	(P-19756/90; A-6316)
330.101	am	(P-19767/90; A-5822)
330.105	am	(P-19767/90; A-5822)
330.110	am	(P-19767/90; A-5822)
330.115	am	(P-19767/90; A-5822)
330.120	am	(P-19767/90; A-5822)
340.101	am	(P-19774/90; A-5829)
340.105	am	(P-19774/90; A-5829)
340.110	am	(P-19774/90; A-5829)
370.101	am	(P-19730/90; A-5805)
370.105	am	(P-19730/90; A-5805)
370.110	am	(P-19730/90; A-5805)
370.115	am	(P-19730/90; A-5805)
370.120	am	(P-19730/90; A-5805)
380.101	am	(P-19740/90; A-6299)
380.110	am	(P-19740/90; A-6299)
380.115	am	(P-19740/90; A-6299)
380.120	am	(P-19740/90; A-6299)
390.101	am	(P-19746/90; A-5815)
390.105	am	(P-19746/90; A-5815)
390.110	am	(P-19746/90; A-5815)
420.50	am	(P-15762/90; A-3498)
420.90	am	(P-15762/90; A-3498)
430.100	am	(P-1724; A-10944)
430.110	am	(P-1724; A-10944)
430.120	am	(P-1724; A-10944)
430.130	am	(P-1724; A-10944)
430.160	am	(P-1724; A-10944)
430.180	am	(P-1724; A-10944)
430.190	am	(P-1724; A-10944)
430.200	am	(P-1724; A-10944)
432.100	am	(P-1777; A-10993)
432.110	am	(P-1777; A-10993)
432.120	am	(P-1777; A-10993)
432.160	am	(P-1777; A-10993)
435.100	am	(P-1748; A-10966)
435.110	am	(P-1748; A-10966)
435.120	am	(P-1748; A-10966)
435.130	am	(P-1748; A-10966)
435.140	am	(P-1748; A-10966)
435.160	am	(P-1748; A-10966)
435.170	am	(P-1748; A-10966)
435.180	am	(P-1748; A-10966)
435.190	am	(P-1748; A-10966)
435.200	am	(P-1748; A-10966)
435.210	am	(P-1748; A-10966)
435.220	am	(P-1748; A-10966)
440.90	am	(P-13429/90; A-117)
450.10	am	(P-13434/90; A-122)
460.101	am	(P-15417)
460.110	am	(P-15417)
480.101	am	(P-15422)
500.102	n	(P-17897/90; A-6305)
500.103	n	(P-17897/90; A-6305)
500.105	am	(P-17897/90; A-6305)
500.115	am	(P-17897/90; A-6305)
500.150	r	(P-17897/90; A-6305)
500.155	am	(P-17897/90; A-6305)
500.175	am	(P-17897/90; A-6305)
500.195	am	(P-17897/90; RC-5122; A-6305)
500.201	n	(P-17897/90; A-6305)
500.220	am	(P-5017;A-13538) (P-17897/90; A-6305)
600.101	r	(P-18195/90; A-6284)
600.105	r	(P-18195/90; A-6284)
600.110	r	(P-18195/90; A-6284)
600.115	r	(P-18195/90; A-6284)
600.120	r	(P-18195/90; A-6284)
600.125	r	(P-18195/90; A-6284)
600.130	r	(P-18195/90; A-6284)
600.135	r	(P-18195/90; A-6284)
610.101	r	(P-18208/90; A-6286)
610.105	r	(P-18208/90; A-6286)
610.110	r	(P-18208/90; A-6286)
610.115	r	(P-18208/90; A-6286)
610.120	r	(P-18208/90; A-6286)
610.125	r	(P-18208/90; A-6286)
610.130	r	(P-18208/90; A-6286)
610.135	r	(P-18208/90; A-6286)
620.101	r	(P-18217/90; A-6288)
620.105	r	(P-18217/90; A-6288)
620.110	r	(P-18217/90; A-6288)
620.115	r	(P-18217/90; A-6288)
620.120	r	(P-18217/90; A-6288)
630.101	am	(P-17879/90; A-5762)
630.105	am	(P-17879/90; A-5762)
630.110	am	(P-17879/90; A-5762)
630.115	am	(P-17879/90; A-5762)
640.101	am	(P-17887/90; A-5770)
640.105	am	(P-17887/90; A-5770)
640.110	am	(P-17887/90; A-5770)
650.101	am	(P-17894/90; A-5778)
3000.100	n	(P-433; W-11342) (P-11075; E-11252)
3000.110	n	(P-433; W-11342) (P-11075; E-11252)
3000.115	n	(P-11075; E-11252)
3000.120	n	(P-433; W-11342) (P-11075; E-11252)
3000.130	n	(P-433; W-11342) (P-11075; E-11252)
3000.140	n	(P-433; W-11342) (P-11075; E-11252)
3000.150	n	(P-433; W-11342) (P-11075; E-11252)
3000.155	n	(P-11075; E-11252)
3000.160	n	(P-433; W-11342) (P-11075; E-11252)
3000.161	n	(P-11075; E-11252)
3000.165	n	(P-11075; E-11252)
3000.170	n	(P-433; W-11342) (P-11075; E-11252)
3000.180	n	(P-11075; E-11252)
3000.200	n	(P-433; W-11342) (P-11075; E-11252)
3000.210	n	(P-433; W-11342) (P-11075; E-11252)
3000.220	n	(P-433; W-11342) (P-11075; E-11252)
3000.230	n	(P-433; W-11342) (P-11075; E-11252)
3000.235	n	(P-11075; E-11252)
3000.240	n	(P-433; W-11342) (P-11075; E-11252)
3000.245	n	(P-11075; E-11252)

TITLE 86 (CONT'D)

3000.250	n	(P-433; W-11342) (P-11075; E-11252)
3000.260	n	(P-433; W-11342) (P-11075; E-11252)
3000.270	n	(P-11075; E-11252)
3000.280	n	(P-11075; E-11252)
3000.281	n	(P-11075; E-11252)
3000.282	n	(P-11075; E-11252)
3000.283	n	(P-11075; E-11252)
3000.300	n	(P-11075; E-11252)
3000.310	n	(P-11075; E-11252)
3000.320	n	(P-11075; E-11252)
3000.330	n	(P-11075); E-11252
3000.340	n	(P-11075; E-11252)
3000.350	n	(P-11075; E-11252)
3000.400	n	(P-433; W-11342) (P-11075; E-11252)
3000.405	n	(P-11075; E-11252)
3000.410	n	(P-433; W-11342) (P-11075; E-11252)
3000.415	n	(P-11075; E-11252)
3000.420	n	(P-11075; E-11252)
3000.425	n	(P-11075; E-11252)
3000.430	n	(P-11075; E-11252)
3000.435	n	(P-11075; E-11252)
3000.440	n	(P-11075; E-11252)
3000.500	n	(P-433; W-11342)
3000.600	n	(P-11075; E-11252)
3000.610	n	(P-11075; E-11252)
3000.700	n	(P-11075; E-11252)
3000.705	n	(P-11075; E-11252)
3000.710	n	(P-11075; E-11252)
3000.715	n	(P-11075; E-11252)
3000.716	n	(P-11075; E-11252)
3000.720	n	(P-11075; E-11252)
3000.725	n	(P-11075; E-11252)
3000.730	n	(P-11075; E-11252)
3000.735	n	(P-11075; E-11252)
3000.740	n	(P-11075; E-11252)
3000.745	n	(P-11075; E-11252)
3000.750	n	(P-11075; E-11252)
3000.755	n	(P-11075; E-11252)
3000.760	n	(P-11075; E-11252)
3000.765	n	(P-11075; E-11252)
3000.770	n	(P-11075; E-11252)
3000.800	n	(P-11075; E-11252)
3000.810	n	(P-11075; E-11252)
3000.820	n	(P-11075; E-11252)
3000.830	n	(P-11075; E-11252)
3000.840	n	(P-11075; E-11252)
3000.900	n	(P-11075; E-11252)
3000.910	n	(P-11075; E-11252)
3000.920	n	(P-11075; E-11252)
3000.930	n	(P-11075; E-11252)
3000.940	n	(P-11075; E-11252)
3000.950	n	(P-11075; E-11252)
3000.960	n	(P-11075; E-11252)
3000.1000	n	(P-11075; E-11252)
3000.1010	n	(P-11075; E-11252)
3000.1020	n	(P-11075; E-11252)
3000.1030	n	(P-11075; E-11252
3000.1100	n	(P-11075; E-11252)
3000.1110	n	(P-11075; E-11252)
3000.1120	n	(P-11075; E-11252)
3000.1130	n	(P-11075; E-11252)
3000.1140	n	(P-11075; E-11252)
3000.1150	n	(P-11075; E-11252)
3000.1160	n	(P-11075; E-11252)
3000.1170	n	(P-11075; E-11252)
3000.1171	n	(P-11075; E-11252)
3000.1172	n	(P-11075; E-11252)

TITLE 89

102.70	am	(P-409; A-7202)
102.81	am	(P-409; A-7202)
104.45	am	(P-18705/90; A-5320)
104.250	am	(P-15; A-6557)
104.272	am	(P-15; A-6557)
104.304	am	(P-15; A-6557)
104.330	am	(P-15; A-6557)
111.101	am	(P-17762/90; A-1029)
112.9	am	(P-371; A-5684)
112.64	am	(P-19568/90; A-5275)
112.70	am	(P-2521; A-11447)
112.74	am	(P-2521; A-11447)
112.78	am	(P-2521; A-11447)
112.79	am	(P-2521; A-11447)
112.80	am	(P-2521; A-11447)
112.82	am	(P-2521; A-11447) (E-2862)
112.101	am	(P-8785; A-14227)
112.110	am	(P-5502; A-11127)
112.130	am	(P-8785; A-14227)
112.131	am	(P-10564)
112.151	am	(P-5502; 11127)
112.340	n	(P-157; A-5275) (E-338)
113.9	am	(P-384; A-5698)
113.40	am	(P-14994) (E-15119)
113.50	am	(P-14994) (E-15119)
113.125	am	(P-6913; A-11948)
113.141	am	(P-19581/90; A-5291)
113.155	am	(P-804; A-7104) (E-1111; O-5125) (P-7444; A-14073)
113.251	am	(P-15701/90; A-277)
113.253	am	(P-1715; A-7104)
113.260	am	(P-1715; A-7104)
113.261	am	(P-5517; A-11142)
113.302	r	(P-14994) (E-15119)
113.303	am	(P-15701/90; A-277)
113.306	r	(P-10889; O-16521)
113.400	n	(P-14994) (E-15119)
113.405	n	(P-14994) (E-15119)
113.410	n	(P-14994) (E-15119)
113.415	n	(P-14994) (E-15119)
113.420	n	(P-14994) (E-15119)
113.425	n	(P-14994) (E-15119)
113.430	n	(P-14994) (E-15119)
113.435	n	(P-14994) (E-15119)
113.440	#	(P-14994) (E-15119)
113.440	am	(P-14994) (E-15119)
113.445	n	(P-14994) (E-15119)
114.1	am	(P-15008) (E-15144)
114.2	n	(P-15008) (E-15144)
114.9	am	(P-394; A-5710)
114.60	am	(P-15008) (E-15144)
114.61	am	(P-15008) (E-15144)
114.62	am	(P-15008) (E-15144)
114.63	am	(P-15008) (E-15144)

TITLE 89 (CONT'D)

114.64	am	(P-15008) (E-15144)
114.70	am	(P-15008) (E-15144)
114.80	am	(P-15008) (E-15144)
114.120	am	(P-15008) (E-15144)
114.121	am	(P-15008) (E-15144)
114.122	r	(P-15008) (E-15144)
114.123	r	(P-15008) (E-15144)
114.124	am	(P-15008) (E-15144)
114.210	am	(P-5539; A-11164)
114.251	am	(P-5539; A-11164)
114.400	am	(P-15008) (E-15144)
114.402	am	(P-15712/90; A-288)
114.420	am	(P-15008) (E-15144)
116.510	am	(P-10897; O-16522)
116.520	am	(P-10897; O-16522)
117.90	n	(P-6435; A-13533)
118.200	am	(P-8681) (E-8708) (O-11533)
120.11	am	(P-5551; A-12747)
120.12	n	(P-6089; A-14240)
120.31	am	(P-5551; A-12747)
120.50	r	(P-12137)
120.60	am	(P-5551; A-12747)
120.61	am	(P-159; A-5302) (E-348) (P-8642; A-14240)
120.64	am	(P-5551; A-12747)
120.65	n	(P-2908; A-10101)
120.72	am	(P-159; A-5302) (E-348)
120.74	am	(P-159; A-5302) (E-348)
120.200	n	(P-12137)
120.208	am	(P-5551; A-12747)
120.208	r	(P-12137)
120.210	r	(P-12137)
120.211	r	(P-12137)
120.212	r	(P-12137)
120.215	r	(P-12137)
120.216	r	(P-12137)
120.217	r	(P-12137)
120.218	r	(P-12137)
120.224	r	(P-12137)
120.225	r	(P-12137)
120.230	r	(P-12137)
120.235	am	(P-5551; A-12747)
120.235	r	(P-12137)
120.236	r	(P-12137)
120.240	r	(P-12137)
120.245	r	(P-12137)
120.250	r	(P-12137)
120.255	r	(P-12137)
120.260	r	(P-12137)
120.261	r	(P-12137)
120.262	r	(P-12137)
120.270	r	(P-12137)
120.271	r	(P-12137)
120.272	r	(P-12137)
120.273	r	(P-12137)
120.275	r	(P-12137)
120.276	r	(P-12137)
120.280	r	(P-12137)
120.281	am	(P-5551; A-12747)
120.281	r	(P-12137)
120.282	r	(P-12137)
120.283	r	(P-12137)
120.284	r	(P-12137)
120.285	r	(P-12137)
120.290	r	(P-12137)
120.295	r	(P-12137)
120.319	am	(P-833)
120.320	am	(P-833)
120.321	am	(P-833)
120.322	am	(P-833)
120.323	am	(P-833)
120.370	am	(P-6937; A-11973)
120.335	am	(P-5551; A-12747)
120.386	am	(P-159; A-5302) (E-348) (P-7468; A-14105)
120.390	am	(P-5551; A-12747)
120.391	am	(P-5551; A-12747)
121.31	am	(P-5525; A-11150)
121.58	am	(P-5525; A-11150)
121.60	am	(PP-14134)
121.61	am	(PP-14134)
121.63	am	(P-6922; A-11957) (PP-14134)
121.64	am	(PP-14134)
121.91	am	(P-6922; A-11957) (P-14186)
121.94	am	(P-14999)
130.400	n	(P-8114; A-16111)
130.500	am	(P-8114; A-16111)
140.2	am	(P-12171)
140.3	am	(P-5585; A-11176) (P-12171)
140.5	am	(P-12171)
140.7	am	(P-5585; A-11176)
140.11	am	(P-6949)
140.16	am	(P-847; A-8264)
140.17	am	(P-18982/90; A-10468)
140.94	n	(P-15933) (E-16366)
140.95	n	(P-15933) (E-16366)
140.400	am	(P-12171)
140.413	am	(P-406; A-8264) (E-592)
140.420	am	(P-1414; A-8972)
140.421	am	(P-1414; A-8972)
140.425	r	(P-12171)
140.426	r	(P-12171)
140.428	r	(P-12171)
140.440	am	(P-12171) (E-12919)
140.441	am	(P-12171) (E-12919)
140.442	am	(P-12171) (E-12919)
140.449	am	(P-12171) (E-12919)
140.457	n	(P-20170/90; A-6220)
140.458	n	(P-20170/90; A-6220)
140.459	n	(P-20170/90; A-6220)
140.460	am	(P-4903)
140.461	am	(P-4903)
140.462	am	(P-4903)
140.463	am	(P-4903)
140.465	r	(P-4903)
140.469	am	(P-13685)
140.475	am	(P-847; A-8264)
140.485	am	(P-14317/90; O-21120/90; RC-21124/90; RC-21135/90; M-368; A-298)
140.486	r	(P-14317/90; A-298)
140.487	am	(P-14317/90; A-298)
140.488	n	(P-14317/90; A-298)
140.490	am	(P-19132/90; A-8264)
140.512	am	(P-13274)
140.513	r	(P-13274)
140.514	am	(P-11555)

TITLE 89 (CONT'D)

140.518	am	(P-9885)
140.523	am	(P-14681/90; A-1051)
140.530	am	(P-15933) (E-16366)
140.538	n	(P-15933) (E-16366)
140.552	n	(P-15933) (E-16366)
140.560	am	(P-5585)
140.561	am	(P-7482)
140.562	am	(P-13963/90; O-17718/90; R-366) (P-15933) (E-16366)
140.569	am	(P-7834/90; A-18813/90; C-1174) (P-7834/90; O-5115; R-6789; A-6534) (P-8656) (P-15933) (E-16366)
140.583	am	(P-15933) (E-16366)
140.646	am	(P-6949)
140.662	am	(P-14317/90; A-298)
140.835	r	(P-15933) (E-16366)
140.850	n	(P-19592/90; A-10114)
140.855	n	(P-19592/90; A-10114)
140.860	n	(P-19592/90; A-10114)
140.865	n	(P-19592/90; A-10114)
140.870	n	(P-19592/90; A-10114)
140.875	n	(P-19592/90; A-10114)
140.880	n	(P-19592/90; A-10114)
140.885	n	(P-19592/90; A-10114)
140.890	n	(P-19592/90; A-10114)
140.895	n	(P-19592/90; A-10114)
140.Tb.A	r	(P-14317/90; A-298)
140.Tb.D	am	(P-1414; A-8972)
140.Tb.E	am	(P-12171)
140.Tb.F	r	(P-12171)
140.Tb.K	n	(P-19592/90; A-10114)
140.Tb.L	n	(P-19592/90; A-10114)
140.980	n	(E-11515)
140.982	n	(E-11515)
141.10	r	(P-12132) (E-12795)
141.100	r	(P-12132) (E-12795)
141.200	r	(P-12132) (E-12795)
141.240	r	(P-12132) (E-12795)
141.280	r	(P-12132) (E-12795)
141.320	r	(P-12132) (E-12795)
141.360	r	(P-12132) (E-12795)
141.400	r	(P-12132) (E-12795)
141.440	r	(P-12132) (E-12795)
141.480	r	(P-12132) (E-12795)
141.520	r	(P-12132) (E-12795)
141.560	am	(P-831; A-7117) (E-1121)
141.560	r	(P-12132) (E-12795)
141.600	r	(P-12132) (E-12795)
141.640	r	(P-12132) (E-12795)
141.680	am	(P-831; A-7117) (E-1121)
141.680	r	(P-12132) (E-12795)
141.720	r	(P-12132) (E-12795)
141.760	r	(P-12132) (E-12795)
141.760	am	(P-831; A-7117) (E-1121)
141.800	r	(P-12132) (E-12795)
141.840	r	(P-12132) (E-12795)
141.880	r	(P-12132) (E-12795)
141.920	r	(P-12132) (E-12795)
141.960	r	(P-12132) (E-12795)
141.1000	r	(P-12132) (E-12795)
141.1040	r	(P-12132) (E-12795)
141.1080	r	(P-12132) (E-12795)
141.1120	r	(P-12132) (E-12795)
141.1125	am	(P-831; A-7117) (E-1121)
141.1125	r	(P-12132) (E-12795)
141.1160	r	(P-12132) (E-12795)
141.1200	am	(P-831; A-7117) (E-1121)
141.1200	r	(P-12132) (E-12795)
141.1240	am	(P-831; A-7117) (E-1121)
141.1240	r	(P-12132) (E-12795)
141.1280	r	(P-12132) (E-12795)
141.1320	r	(P-12132) (E-12795)
141.1360	r	(P-12132) (E-12795)
141.1400	r	(P-12132) (E-12795)
141.1480	r	(P-12132) (E-12795)
141.1500	r	(P-12132) (E-12795)
141.1520	am	(P-831; A-7117) (E-1121)
141.1520	r	(P-12132) (E-12795)
141.1560	r	(P-12132) (E-12795)
141.1600	r	(P-12132) (E-12795)
141.1640	r	(P-12132) (E-12795)
141.1680	r	(P-12132) (E-12795)
141.1720	r	(P-12132) (E-12795)
141.1760	r	(P-12132) (E-12795)
141.1800	r	(P-12132) (E-12795)
141.1840	r	(P-12132) (E-12795)
141.1840	am	(P-831; A-7117) (E-1121)
141.1880	am	(P-831; A-7117) (E-1121)
141.1880	r	(P-12132) (E-12795)
141.1920	r	(P-12132) (E-12795)
141.1960	r	(P-12132) (E-12795)
141.2000	r	(P-12132) (E-12795)
141.2040	am	(P-831; A-7117) (E-1121)
141.2240	r	(P-12132) (E-12795)
141.2080	am	(P-831; A-7117) (E-1121)
141.2120	am	(P-831; A-7117) (E-1121)
141.2160	am	(P-831; A-7117) (E-1121)
141.2200	am	(P-831; A-7117) (E-1121)
141.2280	r	(P-12132) (E-12795)
141.2320	r	(P-12132) (E-12795)
141.2360	r	(P-12132) (E-12795)
141.2400	am	(P-831; A-7117) (E-1121)
141.2400	r	(P-12132) (E-12795)
141.2440	r	(P-12132) (E-12795)
141.2480	r	(P-12132) (E-12795)
141.2520	am	(P-831; A-7117) (E-1121)
141.2520	r	(P-12132) (E-12795)
141.2560	r	(P-12132) (E-12795)
141.2600	r	(P-12132) (E-12795)
141.2640	am	(P-831; A-7117) (E-1121)
141.2640	r	(P-12132) (E-12795)
141.2720	r	(P-12132) (E-12795)
141.2760	r	(P-12132) (E-12795)
141.2840	r	(P-12132) (E-12795)
141.2880	r	(P-12132) (E-12795)
141.2920	am	(P-831; A-7117) (E-1121)
141.2920	r	(P-12132) (E-12795)
141.2960	r	(P-12132) (E-12795)
141.3000	r	(P-12132) (E-12795)
141.3040	r	(P-12132) (E-12795)
141.3080	r	(P-12132) (E-12795)
141.3120	r	(P-12132) (E-12795)
141.3160	r	(P-12132) (E-12795)
141.3200	r	(P-12132) (E-12795)
141.3240	r	(P-12132) (E-12795)
141.3280	r	(P-12132) (E-12795)

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141.3320	am	(P-831; A-7117) (E-1121)
141.3320	r	(P-12132) (E-12795)
141.3360	r	(P-12132) (E-12795)
141.3400	r	(P-12132) (E-12795)
141.3440	r	(P-12132) (E-12795)
141.3480	r	(P-12132) (E-12795)
141.3520	r	(P-12132) (E-12795)
141.3560	am	(P-831; A-7117) (E-1121)
141.3560	r	(P-12132) (E-12795)
141.3600	am	(P-831; A-7117) (E-1121)
141.3600	r	(P-12132) (E-12795)
141.3640	am	(P-831; A-7117) (E-1121)
141.3640	r	(P-12132) (E-12795)
141.3680	r	(P-12132) (E-12795)
141.3720	am	(P-831; A-7117) (E-1121)
141.3720	r	(P-12132) (E-12795)
141.3760	r	(P-12132) (E-12795)
141.3800	am	(P-831; A-7117) (E-1121)
141.3800	r	(P-12132) (E-12795)
141.3840	r	(P-12132) (E-12795)
141.3880	r	(P-12132) (E-12795)
141.3920	r	(P-12132) (E-12795)
141.3960	r	(P-12132) (E-12795)
141.4000	r	(P-12132) (E-12795)
141.4080	r	(P-12132) (E-12795)
141.4120	r	(P-12132) (E-12795)
141.4160	r	(P-12132) (E-12795)
141.4200	r	(P-12132) (E-12795)
141.4230	r	(P-12132) (E-12795)
141.4240	am	(P-831; A-7117) (E-1121)
141.4240	r	(P-12132) (E-12795)
141.4280	r	(P-12132) (E-12795)
141.4320	r	(P-12132) (E-12795)
141.4360	am	(P-831; A-7117) (E-1121)
141.4360	r	(P-12132) (E-12795)
141.4440	r	(P-12132) (E-12795)
141.4480	r	(P-12132) (E-12795)
141.4520	am	(P-831; A-7117) (E-1121)
141.4520	r	(P-12132) (E-12795)
141.4560	am	(P-831; A-7117) (E-1121)
141.4560	r	(P-12132) (E-12795)
141.4600	r	(P-12132) (E-12795)
141.4640	r	(P-12132) (E-12795)
141.4680	am	(P-831; A-7117) (E-1121)
141.4680	r	(P-12132) (E-12795)
141.4720	r	(P-12132) (E-12795)
141.4760	r	(P-12132) (E-12795)
141.4800	r	(P-12132) (E-12795)
144.275	am	(P-816; A-14084) (P-15926) (E-16148)
144.300	n	(P-7455)
144.325	n	(P-7455)
147.5	am	(P-19653/90; A-7162) (P-870; A-13390)
147.15	am	(P-19653/90; A-7162) (P-870; A-13390)
147.25	am	(P-19653/90; A-7162) (P-870; A-13390)
147.50	am	(P-19653/90; A-7162) (P-870; A-13390)
147.75	am	(P-19653/90; A-7162) (P-870; A-13390)
147.150	am	(P-13967/90; A-2715)
147.200	am	(P-2919; A-9001)
147.205	am	(P-13967/90; A-2715)
147.250	n	(P-5434/90; O-5118; RC-5120) (P-15243/90; A-6238)
147.300	n	(P-9355/90; O-13039/90; R-3129; A-3058)
147.305	n	(P-9355/90; O-13039/90; R-3129) (A-3058)
147.310	n	(P-9355/90; O-13039/90; R-3129; A-3058)
147.315	n	(P-9355/90; O-13039/90; R-3129); A-3058)
147.320	n	(P-9355/90; O-13039/90; R-3129; A-3058)
147.325	n	(P-9355/90; O-13039/90; R-3129; A-3058)
147.330	n	(P-9355/90; O-13039/90; R-3129; A-3058)
147.335	n	(P-9355/90; O-13039/90; R-3129; A-3058)
147.340	n	(P-9355/90; O-13039/90; R-3129; A-3058)
147.345	n	(P-9355/90; O-13039/90; R-3129; A-3058)
147.350	n	(P-9355/90; O-13039/90; R-3129; A-3058)
147.Tb.A	am	(P-15243/90; A-6238) (P-7501) (P-15940) (E-16435)
147.Tb.B	am	(P-7501) (P-15940) (E-16435)
147.Tb.C	n	(P-870; A-13390)
147.Tb.D	n	(P-870; A-13390)
147.Tb.E	n	(P-870; A-13390)
147.Tb.F	n	(P-870; A-13390)
147.Tb.G	n	(P-870; A-13390)
147.Tb.H	n	(P-870; A-13390)
147.Tb.I	n	(P-870; A-13390)
147.Tb.J	n	(P-870; A-13390)
147.Tb.K	n	(P-870; A-13390)
148.20	am	(P-15928) (E-16166)
148.30	am	(E-12005)
148.40	am	(P-15928) (E-16166)
148.60	am	(P-15928) (E-16166)
148.70	am	(P-15928) (E-16166)
148.80	am	(P-15928) (E-16166)
148.90	r	(P-15928) (E-16166)
148.100	r	(P-15928) (E-16166)
148.110	r	(P-15928) (E-16166)
148.120	am	(P-15928) (E-16166)
148.130	am	(P-15928) (E-16166)
148.140	am	(P-15928) (E-16166)
148.150	am	(P-15928) (E-16166)
148.160	am	(P-15928) (E-16166)
148.170	am	(P-15928) (E-16166)
148.180	am	(P-15928) (E-16166)
148.190	am	(P-15928) (E-16166)
148.200	am	(P-15928) (E-16166)
148.210	am	(P-15928) (E-16166)
148.220	am	(P-15928) (E-16166)
148.230	am	(P-15928) (E-16166)
148.240	am	(P-15928) (E-16166)
148.250	am	(P-15928) (E-16166)
148.260	am	(P-15928) (E-16166)
148.270	am	(P-15928) (E-16166)

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148.280	am	(P-15928) (E-16166)
148.290	am	(P-15928) (E-16166)
148.300	am	(P-15928) (E-16166)
148.310	am	(P-15928) (E-16166)
148.320	am	(P-15928) (E-16166)
148.340	am	(E-10502) (P-10909)
148.360	am	(E-10502) (P-10909)
148.370	am	(P-10909)
148.380	am	(E-10502) (P-10909)
148.390	am	(E-10502) (P-10909)
148.400	n	(P-15928) (E-16166)
149.5	am	(P-15931) (E-16308)
149.25	am	(P-15931) (E-16308)
149.50	am	(P-15931) (E-16308)
149.75	am	(P-15931) (E-16308)
149.100	am	(P-15931) (E-16308)
149.105	am	(P-15931) (E-16308)
149.125	am	(P-15931) (E-16308)
149.150	am	(P-15722/90; A-1826)
149.150	r	(P-15931) (E-16308)
149.175	r	(P-15931) (E-16308)
149.200	r	(P-15931) (E-16308)
149.205	r	(P-15931) (E-16308)
149.225	r	(P-15931) (E-16308)
149.250	r	(P-15931) (E-16308)
149.275	r	(P-15931) (E-16308)
149.300	r	(P-15931) (E-16308)
149.325	r	(P-15931) (E-16308)
149.300	r	(P-15931) (E-16308)
160.5	am	(P-806)
160.10	am	(P-806)
160.20	am	(P-806)
160.70	am	(P-17436/90; A-1034)
240.655	am	(P-14335) (E-14593)
240.1665	am	(E-2838) (P-18635/90; A-10351)
300.20	am	(P-8735; PF-14320; W-16520) (E-14285)
300.30	am	(P-8735; PF-14320) (E-14285)
335.100	am	(P-8415)
335.102	am	(P-8415)
335.200	am	(P-8415)
335.202	am	(P-8415)
335.300	am	(P-8415)
335.302	am	(P-8415)
335.304	am	(P-8415)
335.306	am	(P-8415)
335.308	r	(P-8415)
335.310	am	(P-8415)
335.312	am	(P-8415)
335.314	am	(P-8415)
335.316	am	(P-8415)
335.318	am	(P-8415)
335.320	am	(P-8415)
335.326	am	(P-8415)
335.328	am	(P-8415)
335.330	am	(P-8415)
335.332	am	(P-8415)
335.334	am	(P-8415)
335.336	am	(P-8415)
335.338	am	(P-8415)
352.Ap. A	am	(P-18871/90; A-11111) (P-13239) (E-13554)
406.2	am	(P-14734) (E-15088; M-16519)
406.4	am	(P-14734)
406.5	am	(P-14734)
406.6	am	(P-14734)
406.7	am	(P-14734)
406.8	am	(P-14734) (E-15088)
406.9	am	(P-14734) (E-15088)
406.10	am	(P-14734) (E-15088)
406.11	am	(P-14734)
406.13	am	(P-14734) (E-15088)
406.14	am	(P-14734)
406.22	am	(P-14734)
406.24	am	(P-14734)
407.29	am	(P-14729)
408.5	am	(P-14764) (E-15104)
408.30	am	(P-14764) (E-15104)
408.65	am	(P-14764) (E-15104)
408.70	am	(P-14764)
431.2	am	(P-4303/90; A-24)
431.3	am	(P-4303/90; A-24)
431.5	am	(P-4303/90; A-24)
505.5	#	(P-12718/90; A-7728)
505.5	am	(P-12718/90; A-7728)
505.10	am	(P-12718/90; A-7728)
505.20	#	(P-12718/90; A-7728)
505.40	am	(P-12718/90; A-7728)
505.70	am	(P-12718/90; A-7728)
505.80	am	(P-12718/90; A-7728)
505.10	am	(P-12718/90; A-7728)
515.400	n	(P-9370/90; O-17698/90; M-4464; A-7211)
515.500	n	(P-9370/90; A-7211)
552.30	am	(P-9392/90; A-9737)
552.60	am	(P-9392/90; A-9737)
552.90	am	(P-9392/90; A-9737)
562.20	am	(P-11399)
562.30	am	(P-161; A-10179) (P-11399)
567.20	am	(P-12731/90; A-6617)
567.30	am	(P-12731/90; A-6617)
572.90	am	(P-8541)
587.105	n	(P-11736/90; A-7370)
587.106	n	(P-11736/90; A-7370)
587.107	n	(P-11736/90; A-7370)
587.110	am	(P-11736/90; A-7370)
587.111	n	(P-11736/90; A-7370)
587.120	am	(P-11736/90; A-7370)
592.50	am	(P-12257/90; A-5757)
592.75	am	(P-12257/90; A-5757)
592.80	am	(P-12257/90; A-5757)
592.85	n	(P-12257/90; A-5757)
617.20	am	(P-9385/90; A-7347)
617.30	am	(P-7885; A-16118)
617.50	am	(P-9385/90; A-7347)
617.55	am	(P-9385/90; A-7347)
617.60	am	(P-9385/90; A-7347)
617.70	r	(P-7885; A-16118)
650.1	r	(P-6725/90; A-2794)
650.10	n	(P-6683/90; A-2740)
650.10	r	(P-6725/90; A-2794)
650.20	n	(P-6683/90; A-2740)
650.20	r	(P-6725/90; A-2794)
650.30	n	(P-6683/90; A-2740)
650.30	r	(P-6725/90; A-2794)
650.40	n	(P-6683/90; A-2740)

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650.40	r	(P-6725/90; A-2794)
650.50	n	(P-6683/90; A-2740)
650.50	r	(P-6725/90; A-2794)
650.60	n	(P-6683/90; A-2740)
650.60	r	(P-6725/90; A-2794)
650.70	n	(P-6683/90; A-2740)
650.20	r	(P-6725/90; A-2794)
650.70	n	(P-6683/90; A-2740)
650.90	n	(P-6683/90; A-2740)
650.90	r	(P-6725/90; A-2794)
650.100	n	(P-6683/90; A-2740)
650.100	r	(P-6725/90; A-2794)
650.110	n	(P-6683/90; A-2740)
650.120	n	(P-6683/90; A-2740)
650.130	n	(P-6683/90; A-2740)
650.140	n	(P-6683/90; A-2740)
650.150	n	(P-6683/90; A-2740)
650.160	n	(P-6683/90; A-2740)
650.200	r	(P-6725/90; A-2794)
650.500	r	(P-6725/90; A-2794)
650.600	r	(P-6725/90; A-2794)
650.700	r	(P-6725/90; A-2794)
650.1000	r	(P-6725/90; A-2794)
650.Ap.B	r	(P-6725/90; A-2794)
680.300	am	(P-8156; A-15749)
685.150	n	(P-8163; A-15753)
685.500	am	(P-8982/90; O-17710/90; R-6791; A-6602) (P-14392) (E-14704)
685.550	n	(P-14392) (E-14704)
685.600	am	(P-8982/90; O-17710/90; R-6791; A-6602)
687.10	am	(P-8160)
687.100	am	(P-8560/90; O-16085/90; M-5921; A-7354)
695.300	am	(P-12252/90; A-6279)
695.400	am	(P-12252/90; A-6279)
700.200	am	(P-9303)
700.400	am	(P-9303)
700.500	r	(P-9303)
712.100	am	(P-11702/90; A-10185)
712.200	am	(P-11702/90; A-10185)
712.300	am	(P-11702/90; A-10185)
712.400	am	(P-11702/90; A-10185)
712.1000	am	(P-11702/90; A-10185)
712.Ap.A	am	(P-11702/90; A-10185)
730.400	am	(P-12228/90; A-6265)
755.10	am	(P-8522)
755.20	n	(P-8522)
755.20	r	(P-8522)
755.22	n	(P-8522)
755.25	n	(P-8522)
755.30	am	(P-8522)
755.40	am	(P-8522)
755.50	r	(P-8522)
755.50	n	(P-8522)
755.60	r	(P-8522)
755.60	n	(P-8522)
755.70	r	(P-8522)
755.70	n	(P-8522)
755.80	r	(P-8522)
755.80	n	(P-8522)
755.90	r	(P-8522)
755.90	n	(P-8522)
755.100	r	(P-8522)
755.100	n	(P-8522)
755.110	r	(P-8522)
755.120	r	(P-8522)
755.130	r	(P-8522)
755.140	r	(P-8522)
755.150	r	(P-8522)
755.160	r	(P-8522)
755.170	r	(P-8522)
755.180	r	(P-8522)
755.190	r	(P-8522)
755.200	r	(P-8522)
765.60	am	(P-12224/90; A-6261)
787.10	n	(P-13027)
787.20	n	(P-13027)
787.30	n	(P-13027)
787.40	n	(P-13027)
787.50	n	(P-13027)
830.50	am	(P-12234/90; A-6272)
830.140	n	(P-4397)
840.10	am	(P-15390)
840.20	am	(P-15390)
840.30	am	(P-15390)
840.40	am	(P-15390)
840.50	am	(P-15390)
840.60	n	(P-15390)
840.70	n	(P-15390)
840.75	am	(P-15390)
840.80	am	(P-15390)
840.90	am	(P-15390)
840.95	an	(P-15390)
840.100	n	(P-15390)
840.105	n	(P-15390)
840.110	n	(P-15390)
840.115	n	(P-15390)
843.10	am	(P-12212/90; A-8294) (P-11406; W-13983) (P-15405)
843.20	am	(P-12212/90; A-8294) (P-11406; W-13983) (P-15405)
843.30	am	(P-12212/90;A-8294) (P-11406; W-13983)(P-15405)
843.50	am	(P-12212/90; A-8294) (P-11406; W-13983)(P-15405)
843.60	am	(P-12212/90; A-8294) (P-11406; W-13983)(P-15405)
843.61	n	(P-11406; W-13983)(P-15405)
843.70	am	(P-12212/90; A-8294) (P-11406; W-13983)(P-15405)
843.80	am	(P-15405)
843.120	am	(P-12212/90; A-8294) (P-11406; W-13983)(P-15405)
843.121	n	(P-11406; W-13983)(P-15405)
843.130	am	(P-12212/90; A-8294)(P-15405)
843.150	am	(P-12212/90; A-8294)(P-15405)
843.160	am	(P-12212/90; A-8294)(P-15405)
843.180	am	(P-12212/90; A-8294) (P-11406; W-13983)(P-15405)
845.10	am	(P-11572)
845.11	n	(P-12240/90; A-8304)
845.20	am	(P-12240/90; A-8304) (P-11572)
845.30	am	(P-12240/90; A-8304) (P-11572)

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845.40	am	(P-12240/90; A-8304) (P-11572)
860.20	am	(P-3228; A-11500)
885.10	n	(P-6666/90; A-7221)
885.30	n	(P-6666/90; A-7221)
885.100	n	(P-6666/90; A-7221)
885.110	n	(P-6666/90; A-7221)
885.200	n	(P-6666/90; A-7221)
885.210	n	(P-6666/90; A-7221)
885.300	n	(P-6666/90; A-7221)
885.310	n	(P-6666/90; A-7221)
885.Ap.A	n	(P-6666/90; A-7221)
885.Ap.B	n	(P-6666/90; A-7221)
885.Ap.C	n	(P-6666/90; A-7221)
885.Ap.D	n	(P-6666/90; A-7221)
885.Ap.E	n	(P-6666/90; A-7221)
885.Ap.F	n	(P-6666/90; A-7221)
900.310	am	(P-12989)
900.321	am	(P-12989)
900.322	am	(P-12989)
900.330	am	(P-12989)
900.331	am	(P-12989)
900.342	am	(P-12989)
900.343	am	(P-12989)
900.345	am	(P-12989)
900.348	am	(P-12989)
1300.110	am	(P-5141)
1300.120	am	(P-5141)
1300.130	am	(P-5141)
1300.200	am	(P-5141)
1300.205	n	(P-5141)
1300.210	am	(P-5141)

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18.10	r	(P-3231; A-9045)
18.10	n	(P-3252; A-9022)
18.20	r	(P-3231; A-9045)
18.20	n	(P-3252; A-9022)
18.30	r	(P-3231; A-9045)
18.30	n	(P-3252; A-9022)
18.40	r	(P-3231; A-9045)
18.40	n	(P-3252; A-9022)
18.50	r	(P-3231; A-9045)
18.50	n	(P-3252; A-9022)
18.60	r	(P-3231; A-9045)
18.60	n	(P-3252; A-9022)
18.70	r	(P-3231; A-9045)
18.70	n	(P-3252; A-9022)
18.80	r	(P-3231; A-9045)
18.80	n	(P-3252; A-9022)
18.90	r	(P-3231; A-9045)
18.90	n	(P-3252; A-9022)
18.100	r	(P-3231; A-9045)
18.100	n	(P-3252; A-9022)
18.110	r	(P-3231; A-9045)
18.110	n	(P-3252; A-9022)
18.120	r	(P-3231; A-9045)
18.120	n	(P-3252; A-9022)
18.130	r	(P-3231; A-9045)
18.130	n	(P-3252; A-9022)
18.140	r	(P-3231; A-9045)
18.140	n	(P-3252; A-9022)
18.150	r	(P-3231; A-9045)
18.160	r	(P-3231; A-9045)
18.Ex.A	r	(P-3231; A-9045)
18.Ex.A	n	(P-3252; A-9022)
18.Ex.B	r	(P-3231; A-9045)
II.A	r	(P-3231; A-9045)
II.B	r	(P-3231; A-9045)
27.10	n	(P-15262/90; A-2796)
27.20	n	(P-15262/90; A-2796)
27.30	n	(P-15262/90; A-2796)
27.40	n	(P-15262/90; A-2796)
27.50	n	(P-15262/90; A-2796)
27.60	n	(P-15262/90; A-2796)
27.70	n	(P-15262/90; A-2796)
27.80	n	(P-15262/90; A-2796)
27,90	n	(P-15262/90; A-2796)
27.100	n	(P-15262/90; A-2796)
27.110	n	(P-15262/90; A-2796)
27.120	n	(P-15262/90; A-2796)
27.130	n	(P-15262/90; A-2796)
27.140	n	(P-15262/90; A-2796)
27.Ex.A	n	(P-15262/90; A-2796)
37.10	n	(P-3275; A-9047)
37.20	n	(P-3275; A-9047)
37.30	n	(P-3275; A-9047)
37.40	n	(P-3275; A-9047)
37.50	n	(P-3275; A-9047)
37.60	n	(P-3275; A-9047)
37.70	n	(P-3275; A-9047)
37.80	n	(P-3275; A-9047)
37.90	n	(P-3275; A-9047)
37.100	n	(P-3275; A-9047)
37.110	n	(P-3275; A-9047)
37.120	n	(P-3275; A-9047)
37.130	n	(P-3275; A-9047)
37.140	n	(P-3275; A-9047)
37.Ex. A	n	(P-3275; A-9047)
57.10	n	(P-15283/90; A-2817)
57.20	n	(P-15283/90; A-2817)
57.30	n	(P-15283/90; A-2817)
57.30	n	(P-15283/90; A-2817)
57.40	n	(P-15283/90; A-2817)
57.50	n	(P-15283/90; A-2817)
57.60	n	(P-15283/90; A-2817)
57.70	n	(P-15283/90; A-2817)
57.80	n	(P-15283/90; A-2817)
57.90	n	(P-15283/90; A-2817)
57.100	n	(P-15283/90; A-2817)
57.110	n	(P-15283/90; A-2817)
57.120	n	(P-15283/90; A-2817)
57.130	n	(P-15283/90; A-2817)
57.140	n	(P-15283/90; A-2817)
57.Ex.A	n	(P-15283/90; A-2817)
171.5	n	(P-15995)
171.6	#	(P-1452; A-7752) (P-15995)
171.1000	am	(P-1452; A-7752) (P-15995)
172.2000	am	(P-1461; A-7760) (P-16003)
172.2215	am	(P-16003)
173.3000	am	(P-1466; A-7765) (P-16008)
177.2000	am	(P-1442; A-7743) (P-15990)
178.336.1.1	am	(P-16015)
178.336.1.5	am	(P-16015)
178.2000	am	(P-1472; A-7771) (P-16015)
179.2000	am	(P-1483; A-7781) (P-16027)
180.2000	am	(P-1447; A-7748)

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390.1020	am	(P-7008; A-13171)
390.2000	am	(P-7008; A-13171)
391.2000	am	(P-7026; A-13189)
392.2000	am	(P-6994; A-13155)
393.2000	am	(P-7022; A-13185)
395.2000	am	(P-6997; A-13161)
396.2000	am	(P-7003; A-13167)
397.1020	am	(P-6991; A-13158)
440.420	am	(P-13041)
440.II.A	am	(P-13041)
440.II.B	n	(P-13041)
442.285	am	(P-13072)
442.Ap.A	am	(P-13072)
442.Ap.E	n	(P-13072)
456.10	n	(P-17535/90; A-5894)
456.20	n	(P-17535/90; A-5894)
456.30	n	(P-17535/90; A-5894)
456.40	n	(P-17535/90; A-5894)
456.50	n	(P-17535/90; A-5894)
456.60	n	(P-17535/90; A-5894)
456.70	n	(P-17535/90; A-5894)
530.10	n	(P-2940)
530.10	r	(P-3003)
530.20	n	(P-2940)
530.20	r	(P-3003)
530.30	n	(P-2940)
530.30	r	(P-3003)
530.40	n	(P-2940)
530.50	n	(P-2940)
530.60	n	(P-2940)
530.100	n	(P-2940)
530.101	r	(P-3003)
530.102	r	(P-3003)
530.103	r	(P-3003)
530.104	r	(P-3003)
530.105	r	(P-3003)
530.106	r	(P-3003)
530.107	r	(P-3003)
530.108	r	(P-3003)
530.109	r	(P-3003)
530.110	n	(P-2940)
530.110	r	(P-3003)
530.111	r	(P-3003)
530.112	r	(P-3003)
530.113	r	(P-3003)
530.114	r	(P-3003)
530.115	r	(P-3003)
530.116	r	(P-3003)
530.117	r	(P-3003)
530.118	r	(P-3003)
530.119	r	(P-3003)
530.120	n	(P-2940)
530.120	r	(P-3003)
530.121	r	(P-3003)
530.122	r	(P-3003)
530.123	r	(P-3003)
530.130	n	(P-2940)
530.140	n	(P-2940)
530.150	n	(P-2940)
530.200	n	(P-2940)
530.201	r	(P-3003)
530.202	r	(P-3003)
530.203	r	(P-3003)
530.210	n	(P-2940)
530.220	n	(P-2940)
530.225	n	(P-2940)
530.230	n	(P-2940)
530.240	n	(P-2940)
530.250	n	(P-2940)
530.260	n	(P-2940)
530.270	n	(P-2940)
530.275	n	(P-2940)
530.280	n	(P-2940)
530.290	n	(P-2940)
530.300	n	(P-2940)
530.301	r	(P-3003)
530.302	r	(P-3003)
530.303	r	(P-3003)
530.310	n	(P-2940)
530.320	n	(P-2940)
530.330	n	(P-2940)
530.400	n	(P-2940)
530.401	r	(P-3003)
530.402	r	(P-3003)
530.403	r	(P-3003)
530.410	n	(P-2940)
530.420	n	(P-2940)
530.430	n	(P-2940)
530.440	n	(P-2940)
530.450	n	(P-2940)
530.460	n	(P-2940)
530.470	n	(P-2940)
530.480	n	(P-2940)
530.500	n	(P-2940)
530.501	r	(P-3003)
530.502	r	(P-3003)
530.503	r	(P-3003)
530.510	n	(P-2940)
530.520	n	(P-2940)
530.530	n	(P-2940)
530.600	n	(P-2940)
530.601	r	(P-3003)
530.602	r	(P-3003)
530.603	r	(P-3003)
530.610	n	(P-2940)
530.700	n	(P-2940)
530.701	r	(P-3003)
530.702	r	(P-3003)
530.710	n	(P-2940)
530.800	n	(P-2940)
530.801	r	(P-3003)
530.802	r	(P-3003)
530.803	r	(P-3003)
530.804	r	(P-3003)
530.810	n	(P-2940)
530.820	n	(P-2940)
530.830	n	(P-2940)
530.840	n	(P-2940)
530.900	n	(P-2940)
530.901	r	(P-3003)
530.902	r	(P-3003)
530.903	r	(P-3003)
530.904	r	(P-3003)
530.905	r	(P-3003)
530.906	r	(P-3003)
530.907	r	(P-3003)
530.908	r	(P-3003)

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530.909	r	(P-3003)
530.Il. A	n	(P-2940)
708.70	am	(P-8193)
720.10	am	(P-3426; A-9068)
1010.425	n	(P-4686; A-12782)
1010.426	n	(P-4686; A-12782)
1010.740	am	(P-4686; A-12782)
1030.84	am	(P-14198)
1030.88	am	(P-10589; A-15783)
1040.42	am	(P-7891; A-14258)
1070.20	am	(P-15428)
1070.40	am	(P-15428)
1070.100	n	(P-8797; A-15083)
1270.200	n	(P-16170/90; A-10925)
1308.10	n	(P-8097; A-14414)
1308.20	n	(P-8097; A-14414)
1308.30	n	(P-8097; A-14414)
1311.10	n	(P-4195)
1535.510	r	(P-18177/90; A-10920)